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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FEB - 9 2015

2-9-15 ea

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Reginald Hart,)

Plaintiff,)

Vs.)

Amazon.Com, Inc.,)

Glenda Scales an Individual,)

All Known and Unknown Third)

Party Agent Sellers of Amazon,)

Defendants.)

Case No.:

Judge:

Plaintiff Demands Trial by Jury

1:15-cv-01217

Judge Ruben Castillo

Magistrate Judge Mary M. Rowland

COMPLAINT

NOW COMES the plaintiff Reginald Hart ("Plaintiff") or ("Hart") *in propria persona* and, complaining of Defendants' (Amazon.Com, ("Amazon") or ("Defendant")), Glenda Scales an individual ("Scales") and all known and unknown third party agent sellers of Amazon) Copyright Infringement pursuant to the laws of the United States and for their tortious conduct, in contravention of the laws of the State of Illinois wherein claimant now seeks permanent injunctive relief along with damages; complainant both upon verified facts as well as upon information and belief hereby aver as follows:

JURISDICTION AND VENUE

1. Plaintiff brings this action pursuant to 28 U.S.C. §1331 which confers subject matter jurisdiction upon this Court over civil actions arising out of U.S.C.A. Const. Art. I §8, Cl.8 and 28 U.S.C. §1338(a)(b). This Court also has jurisdiction pursuant to

28 U.S.C. §1332(a)(1) because the matters hereinafter pled are between citizens of different states and, the facts in controversy exceed the sum of \$75,000.00, exclusive of interest and cost. Further, this Court has supplemental jurisdiction over plaintiff's State and common-law claims pursuant to 28 U.S.C. §1367(a). Plaintiff is a citizen of the United States and resides in Cook County, Chicago, Illinois. Defendant Amazon is a Delaware corporation with its principal place of business located in King County Seattle, Washington. Amazon has both transacted and, transacts its business in this district: The matters in controversy occurred in Illinois, Washington State and throughout the U.S. as well as in foreign countries. Therefore, venue is proper in this district. Summons may be served upon *Amazon* by way of its registered agent via U.S. Certified Mail at Corporation Service Company, 300 Deschutes Way SW, Ste. 304 Tumwater, Washington, 98501. *Glenda Scales* an Individual as of January 5, 2015 may be served at his or her last known address in Davidson County, 4546 Artelia Drive, Antioch, Tennessee 37013.

THE PARTIES

Plaintiff

2. The plaintiff, Reginald Hart, after having experienced homelessness and with empathy for those similarly situated, sought to raise money and bring an end to vagabondage through his books. Although the social ill of homeless is a monumental undertaking, its cure is attainable: The *Ways and Means* are through private monies, consumer innovations, procurement of identical and contemporaneous consumer legislation at the State and Federal levels, the enlistment of pre-existing businesses utilizing their infrastructures with tax incentives, the establishment of a publicly traded company paying a reasonable return to investors while simultaneously securing their investment dollars and, the building of income-based affordable (30% of total monthly earnings) housing. Subsequent to a few published private sales, the plaintiff was creatively unhappy with his books and chose not to publish them to the public at large. The titles: a) *My Life as a Homeless Man* (TXu 000-488-125, year: 1991), b) **Vagabond Natural* (TXu 1-909-041, year: 2014) and, c) *Vagabond Spiritual* (TXu 001-188-783, year: 2004), (TXu-00-1030-919, year: 2002), (TXU000-994-362, year: 2001), were all written between the years of 1990-1 and 2007.

My Life as a Homeless Man and *Vagabond Spiritual* were taken personally by plaintiff to the copyright office and registered. **Vagabond Natural* was mailed to the copyright office. **Vagabond Natural* is a derivative work of *My Life as a Homeless Man*. *Vagabond Spiritual* is a separate and distinct Christian composition.

Defendants

3. The defendant, Amazon, is a multibillion dollar corporation mainly operating as an Online Retailer. On information and belief, Amazon was founded in 1994 by its current C.E.O. Jeff Bezos. Ironically, Mr. Bezos started Amazon out of his garage as an online bookstore. In or around 1996 the company re-incorporated in Delaware and offered its I.P.O. in 1997. As of 2015 the company sells a vast assortment of products through its website and is one of the largest Internet Retailers in the world. U.S. Citizens and others log-on to Amazon.Com and among other forms of payment, use their credit cards to make purchases of various products. All transactions and the sales therefor are *processed* through Amazon. Amazon is factually premised upon an agency relationship whereby defendant, for various fees and despite its disclaimer of agency, holds itself out to third parties to sell products through its website. Reiteratively, to circumvent liability, Amazon speciously disclaims agency, but

factually operates as principal over third party agents it has duplicitously designated as "Associates" and "FBA Vendors." The preceding designations are only labels. Amazon has speciously self-imposed non-agency language upon itself in order to deceptively defend against lawsuits for copyright infringement. Judicial Notice of Amazon's "participation agreement" paragraph 4, statement of non-agency: "Amazon is not involved in the actual transaction between Sellers and Buyers" its statement is disingenuous because it is objectively inconsistent with the business reality of its relationship with third party sellers. Chiefly where Amazon has the right and ability, through its so called "participation agreement" to terminate the sellers' account (paragraph 21), thereby ending the infringement; and/or the right to supervise the sellers' account (paragraphs 6 & 13 subpart (b) and, has directly benefited from the sellers' infringing conduct (paragraphs 2, 5 & 11) through its website, via the imposition of fees to the sellers, and the collection of monies on each transaction effectuated on its platform. Amazon's "participation agreement" attempts to cloak its utilization of agents by omitting any language that speaks to the scope of its control over, and relationship with, third party sellers. However, despite its pretext of having disclaimed a principal and agency relationship with third party sellers, the veil of its

non-agency disclaimer is pierced by its obvious authority and control over said third parties. Moreover, as further evidence of its deceitful labels (“Associates,” “FBA Vendors”), defendant as principal has issued an *Amazon.com Order Number* on each transaction. Thus *characterizing* said transaction as belonging to Amazon as principal and, controlling the monies arising out of each sale it has paid to its third parties as agents: a self-evident and triggering fact of a principal and agent relationship. Said sales are completed in an environment where, by a preponderance of the evidence, Amazon holds the power over third party sellers – given that defendant manages the money. Amazon in processing the money is cognizant of its legal responsibility for the sellers’ sales and hopes that a disavowable “participation agreement”: “Amazon is not involved in the actual transaction between Sellers and Buyers,” will immune it from liability. But Amazon’s preceding statement is of no legal effect because it is not factually true so that the law will not aid and abet a lie. Only Amazon may enable or activate a seller’s account and initially, it is Amazon who monetarily binds the deal. And substantively, Amazon is the nexus and life force of the transaction between buyers and sellers without whom said transaction is null and void. The buyers and sellers would therefore have to utilize another *site* and/or an

independent process in order to obtain the *knowledge of product* and the fundamental exchange of money for goods. As a result, defendant's disclaimer, "Amazon is not involved in the actual transaction between Sellers and Buyers" is a legal fiction. As evidenced by its various petards located throughout its "participation agreement" especially paragraph 5. Amazon imputes to the buyers *knowledge of product* and knowledge of sellers. Amazon then imputes to the sellers knowledge of buyers while defendant at all times relevant has knowledge of both seller and buyer. Since the defendant has the dual power to levy a *fee* upon the seller as well as *pay* the seller monies from the buyer and, Amazon has achieved part of its financial gain from third party sellers, or in the alternative, said sellers' actions are *in service to* Amazon's attainment of financial gain, the seller therefore operates factually as defendant's agent. With respect to its support services to both buyers and sellers, and by a comparative analysis thereto, the sellers' relationship with Amazon *exceeds* the buyers' relationship with Amazon, because both the seller(s) and Amazon, as principal and agent, have the same motivation in common: money. In furtherance of that common pecuniary incentive, Amazon and the sellers factually rely upon each other to effect the sale of a product. Consequently, Amazon has continuous

supervision of the seller and its account activity through monetary awareness and control; as evidenced by paragraph 5 subpart (g) of its “participation agreement.”

It is in defendant’s monetary awareness and control of the third party seller that Amazon is revealed as principal wherein it had knowledge of the infringing sales of plaintiff’s books. For this reason, Amazon and the seller have an identical conduct of collecting, *shared transaction money*, on the same infringing copies of plaintiff’s books; such *identical transaction conduct*, excludes their respective independent action, and affirms Amazon as principal over the agency of its third party seller; especially given Amazon’s own direct infringement of Hart’s copyright. Amazon and the third party seller through *shared transaction money* have effectively exercised joint control over the infringing copies of plaintiff’s books. Further, the *shared transaction money* born out of said infringement of plaintiff’s copyrights, has established between Amazon and the seller a parallel conduct that is interdependent as evidenced in its a) support services of hosting third party sellers on its websites, b) *Amazon’s call to agency by procurement of third party sellers: “Sell on Amazon and reach millions of customers” *{See *Pltf’s. Ex. #38*} and, c) the *shared transaction money* arising out of each of those sales. If the Court impute countenance

to Amazon, or if defendant is allowed to disavow a principal and agency relationship despite the factual existence of one ("Sell on Amazon...reach millions..."), then Amazon and its third party sellers may establish therein the sale of stolen property with impunity: And no amount of internet utility rooted in *beneficial technology* for the public, is worth a breach of the law through online piracy, because such a piratical breach of law will inevitably produce bloodshed. Plaintiff need only look to himself as an example of the *quiet rage* he has experienced at seeing the theft and exploitation of his property on Amazon's website; Hart's lawful management as evidenced by this complaint of the before-mentioned *quiet rage*, is emotionally distressful. *Ephesians*, 4:26 KJV. Here, Amazon was put on notice of its infringement yet continued to offer support services to a third party seller(s), even where Hart had previously ordered defendant to remove his books from its website "forthwith." Finally, in its agency relationships with these third party sellers, it is currently unknown to plaintiff whether or not Amazon as principal, in processing the *shared transaction money*, has ever vetted these third parties for any liability that Amazon may incur. Especially given the culpability of its relationship willfully established through said *shared transaction money*; particularly in the area of obtaining from an

Owner the exclusive rights of an *online distribution license* to publish for sale his or her copyrighted works on its website. If Amazon required its sellers' to obtain its software and maintain insurance before it granted access to its website, infringement therein would cease. This would then cause insurance companies to police the internet as insurers would seek to protect the profits they earned through premiums. The insurers, having purchased Amazon produced software, would monitor all sellers and the products they sell, with emphasis on the sale of copyrighted works. And Amazon produced software, could potentially pervade the internet and effectively shutdown internet piracy – at least in the English speaking world. The sellers, motivated by money and penalty, would in turn police themselves and not infringe on an owner's copyright(s). An insurance requirement would operate for the sellers as a *de facto* license to sell on the internet and/or Amazon. *Glenda Scales* is factually a third party agent seller of defendant; along with all factual third party agent sellers of Amazon known and unknown and as yet to be determined by discovery. The books Amazon and its third party agent sellers have sold are not only infringements – they are counterfeits; because defendant did not have a credible inventory source wherein Amazon's liability to Hart was foreseeable.

**IN THE UNITED STATES DISTRICT COURT
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Reginald Hart,)
Plaintiff,)
)
Vs.) **Case No.:**
Amazon.Com, Inc.,) **Judge:**
Glenda Scales an Individual,) **Plaintiff Demands Trial by Jury**
All Known and Unknown Third)
Party Agent Sellers of Amazon,)
)
Defendants.)

FACTS RELEVANT TO ALL CLAIMS

United States District Court)
) SS:
 Northern District of Illinois)

Affidavit

I, Reginald Hart, on Oath and personal knowledge of the facts, hereby state as follows: 4) In September 2009 while conducting a title search for a forthcoming hardback, *Emily Bricks*, I discovered that my book *Vagabond Natural* was for sale on Amazon. 5) I immediately contacted Amazon via letter and asked how did they obtain my book? How long has it been available for sale? Who authorized Amazon to sell my book? And how many copies sold? 6) I never received any correspondence to

my letter from Amazon. 7) I was angry that Amazon was exploiting my expenses and hard work for its own gain; especially when I learned in 2010 that a relative had purchased my book, *Vagabond Natural* through Amazon's website. Since I was dealing with vagabondage yet again, and because no attorneys would take my case, I was powerless to stop Amazon's theft. I learned for the first time this year that my relative had also purchased *Vagabond Spiritual*. 8) Nonetheless, in 2009 I was confident that a reputable company such as Amazon, after having received notice, would cease and desist in its theft of my copyrighted property. 9) However, back then I contacted in excess of 10 attorneys to take my case. Here are just a few: a) Joel W. Benson of Brinks Gilson & Lione – Chicago, Illinois 60611, b) Julie Katz of Husch Blackwell – Chicago, Illinois 60606, c) James K. Borcia of Tressler LLP – Chicago, Illinois 60606, d) Howard M. Berrington of Arnstein & Lehr LLP – Chicago, Illinois 60606. None of these officers of the Court would even respond to my solicitation for representation. 10) In March of 2014 God quickened my spirit concerning Amazon

and once again, the internet giant was selling *Vagabond Natural*. 11) Amazon was now selling *Vagabond Spiritual* as well. Again via email I learned this year from my relative that she had also bought *Vagabond Spiritual* through Amazon's website in 2010, but prior to 2014 had never communicated that particular purchase to me.

12) On March 23, 2014, I wrote another letter to Amazon. This time I sent it via U.S.

Certified Mail: 13) Dear Mr. Bezos, Listed on Amazon.com are the following titles,

14) *Vagabond Natural* and 15) *Vagabond Spiritual*. 16) How is it that a reputable

company such as Amazon, has made available for sale pirated and unpublished books

to the public? 17) It is incredibly painful to me that books born out of my adversity

and purposed to end homelessness in our country are 18) listed on your website

without my authorization and 19) without compensation to my person. In America on

most of our courtroom walls is the epigraph, "In God We Trust". I am a Christian and

I trust in God. 20) Therefore, instead of sending out numerous press releases,

I will first seek a confidential and out-of-court settlement before I take any legal

action. **21)** Please remove the aforestated titles from all of your websites forthwith.

22) Finally, please disclose to me the length of time my unpublished titles have been

listed for sale at Amazon both nationally and internationally and, **23)** how many units

have sold. I hope that we reach a confidential settlement in this matter.

Said settlement will generate millions of dollars for Amazon worldwide and allow me

to end homelessness both in the U.S. and abroad; because God has blessed me to do

so with a sufficient financial and legislative system. Respectfully submitted,

Reginald Hart. Encl. [I enclosed Screen-shots of my book covers which

I printed from Amazon's website]. **24)** In response to my letter, Amazon sent me a

Digital Millennium Copy Right Act Statement. Amazon's DMCA letter,

to my understanding, speciously implied that it was solely a search engine

and not an online retailer. **25)** Despite my best efforts to find them, my letters to

Amazon as well as Amazon's 2014 DMCA correspondence to me, are lost.

26) Since my March 2014 Notice to Amazon, I again solicited officers of the

Court for representation, but to no avail. 27) As a result of Amazon's infringement of

my property rights, I have experienced depression and emotional distress.

28) Seeing my creative hard work available for sale on Amazon's website, both

nationally and internationally, was painfully disturbing to me. Reiteratively, I had

invested my time, energy, monies, thoughts and emotions in my books, only to have

Amazon infringe upon my work. 29) As a result of my March 2014 discovery and

notification to Amazon's of its unauthorized use of my property, defendant has

intentionally imputed to me and, 30) I have experienced, depression and emotional

distress which is ongoing. 31) My emotional distress intensified when I recalled

watching Mr. Bezos on CBS's 60 minutes speaking of small publishers such as

myself: 32) "You gotta earn your keep in this world. When you invent something

new, if customers come to the party, it's disruptive to the old way. 33) The internet is

disrupting every media industry, Charlie, you know, people can complain about that,

but complaining is not a strategy. 34) And Amazon is not happening to book selling,

the future is happening to book selling.” 35) Source: Mr. Bezos statements are available online at <http://www.cbsnews.com/news/amazons-jeff-bezos-looks-to-the-future> (Last visited on January 9, 2015). 36) In my case, Amazon is happening to book selling, because Amazon has converted my property without my consent into its own use and that is painful to my soul. 37) Especially given the fact that I notified Amazon in writing at both its corporate office and at its registered agent for service of legal process, listing my contact information and demanding that it remove my titles from its Website forthwith. 38) I even attempted to notify Amazon through its Report Infringement page to remove my copyrighted books <http://www.amazon.com/gp/help/reports/infringement> (Last visited on January 9, 2015), but its website would not process my electronic notification. Although I do believe that one of the electronic “Report Infringement” notifications was successfully received by Amazon. 39) Dear Amazon.Com: I have previously notified you concerning your infringement of my copyrighted works via your corporate office

and registered agent. Additionally, I even attempted to inform you on your report infringement website page; however, said page only returned an error response to my notifications. For legal reasons I have chosen not to call you because I cannot lawfully record the call in order to document the notice. Nonetheless, you continue to infringe upon my copyrighted works: *Vagabond Natural* and *Vagabond Spiritual*.

See prior notifications attached hereto. 40) I have never granted you and/or your third party sellers' authorization to publicize – post or sell my titles through your website.

41) What's equally as troubling is how did you get my books? I am exhausted and frustrated. It is emotionally stressful and painful to my soul to see my hard work upon your website. 42) Therefore, this is my final notice to you to remove my titles from your website forthwith. The next time I notify you it will be at the hand of a summons by way of a Federal Lawsuit. 43) Finally, I have a good faith belief that the contents described above violate my rights...and that the use of such content(s) is contrary to law. 44) I declare under penalty of perjury, that the information contained in this

notification is correct and accurate and that I am the owner...of the rights described above. Respectfully submitted, Reginald Hart Encl [I enclosed Screen-shots of my book covers which I printed from Amazon's website. I also attached copies of the *Report Infringement* documents which illustrated Amazon's refusal to accept my electronic notification]. 45) In order to obtain relief from my depression and emotional distress, 46) I sought an out-of-court settlement from Amazon's leader Mr. Bezos. 47) But Amazon chose not to resolve these issues without litigation. Therefor, Amazon has intentionally burdened me with its infringement by reproduction, publication and display of my copyrighted works, wherein I am even more emotionally distressed, and compelled to enter the stressful legal world as a *pro se* litigant in order to get justice in this matter. In studying how to file a federal complaint, I sought to attach as exhibits my Copyright Certificates of Registration and to my surprise the 48) Copyright Office had failed to Register *Vagabond Natural*. *49) The effective date of registration for *Vagabond Natural* is now May 5, 2014.

50) Finally, when called as a witness, I can to testify to the above stated facts.

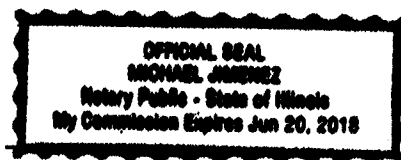
All exhibits recited, incorporated and attached to this pleading are true copies as derived from their respective sources (both Amazon Screen-shots via its website and Screen-shots from the copyright office and, Hart's letters): I declare under penalty of perjury pursuant to the laws of the United States of America that to the best of my knowledge the foregoing verified facts of plaintiff's Affidavit are true and correct.

Subscribed and Sworn to before me a Notary Public of the State of Illinois,

County of Cook, this 7 day of February, 2015.

Affiant: Reginald Hart
Reginald Hart

FURTHER AFFIANT SAYETH NAUGHT



Notary Seal

[Signature]
Notary Signature

Count I
Copyright Infringement
Vagabond Natural
Amazon's Direct Infringement

51. The plaintiff by reference to paragraphs 1 through 50 incorporate them into paragraph 51 of this Count 1, Copyright Infringement, *Vagabond Natural*, Amazon's Direct Infringement, as though fully set forth herein verbatim.

Pltf's. Valid Ownership of My Life as a Homeless Man

52. The plaintiff is the sole owner of a copyrightable composition, *My Life as a Homeless Man*, which to date is valid and enforceable pursuant to federal registration number TXu 000 488 125, effective on August 27, 1991. *See Pltf's. Ex. # 1, My Life as a Homeless Man Copyright Office Registration Printout, attached hereto.*

Pltf's. Valid Ownership of Vagabond Natural

53. The plaintiff is the sole owner of a copyrightable book *Vagabond Natural*, which to date is valid and enforceable pursuant to federal registration number TXu 1-909-041, effective on May 5, 2014. *Vagabond Natural* is a derivative of *My Life as a Homeless Man*. *See Pltf's. Ex. # 2, Vagabond Natural Certificate of Registration, attached hereto.*

Amazon's Unlawful Copying of Original Element: "Vagabond Natural"

54. Amazon unlawfully copied the original element of, *Vagabond Natural*, by *inputting into its catalog* the copyrighted language: *Vagabond Natural* onto its computer(s) and/or its website(s) and then published *Vagabond Natural* worldwide without plaintiff's consent. *See Pltf's. Ex. # 3, Screen-shot of Amazon's Web-posting of Vagabond Natural, attached hereto.*

55. Defendant directly infringed on plaintiff's copyright by its *Amazon Order Number* (*See Pltf's Ex. #'s 35 & 36 attached hereto*) and, had a financial interest in, and did benefit from said direct infringement when it sold copies of Hart's books through its website a) even after plaintiff had placed Amazon on notice numerous times of its infringement so that b) the foregoing conduct of Amazon's infringement was willful and intentional in a reckless disregard of Hart's copyrights.

Plaintiff's Notification

56. On or about March 24, 2014 plaintiff sent notice via Certified Mail and return receipt, to defendant's corporate office and registered agent for legal process, asking Amazon to remove its infringing display of *Vagabond Natural* from its website forthwith. *See Pltf's. Ex. #'s 4-9, Certified & Return Receipt Postage, & Pltf's. Ex. # 10, Post Office Receipt, attached hereto.*

Judicial Notice of Plaintiff's Report Infringement Notifications

57. Affirming that Amazon received and understood the notice of its *direct* conduct of infringement, via both its corporate office and its registered agent, defendant then removed the identification of its name (Amazon) from its unlawful web-posting of plaintiff's book but, continued to *directly display* its infringing copy of *Vagabond Natural* worldwide on its site. Plaintiff asks this Honorable Court to take Judicial Notice of exhibits numbers 3 & 11, comparatively, prior to notification, defendant's infringing display of *Vagabond Natural*, evinced Amazon as the seller of the infringing copies of Hart's book; subsequent to plaintiff's March 2014 notification, defendant then erased its name as the seller of the infringing copies. The Court may note that Hart's exhibit number 11 illustrates that Amazon not only removed the identity of its name but, after plaintiff's well placed March notification to Amazon of its infringement, defendant also listed Hart's book as "Currently unavailable." However, on January 4, 2015 defendant had once again, *directly* listed an infringing copy of *Vagabond Natural* for sale (\$19.95) which it subsequently sold on its website that same day pursuant to *Amazon Order Number 107-9206324-7041857* without consent from plaintiff. Additionally, Amazon's website initially rejected Hart's electronic "Report Infringement" notifications. Yet, on information and belief, one electronic notification of infringement was received on December 30, 2014: "Dear Amazon, You are again committing infringement of my copyrights: *Vagabond Natural & Vagabond Spiritual*. These books have never been published to the public

at large. How did you get them? For the seventh time [electronically] remove my books from your website! Or else I will sue you! [I have a good faith belief that the content(s) described above violate(s) my rights [...] or those held by the rights owner, and that the use of such content(s) is contrary to law. I declare, under penalty of perjury that the information contained in this notification is correct and accurate and that I am the owner or agent of the owner of the rights described above.”

Judicial Notice of plaintiff's exhibit number 18, the HTTPS (Hyper Text Transport Protocol Secure) address appearing at the foot of each “Report Infringement” document as (<https://www.amazon.com/gp/help/reports/infringement> pages 1-4), it has indicated that Amazon was electronically notified on December 30, 2014. By comparison the Court may note that pages 5-8 of Ex. # 18 has indicated zero entries for electronic notification:

<https://www.amazon.com/gp/help/reports/infringement/181-9683242->

[2399129?ie=UTF8&*Version*=1&entries*=0](https://www.amazon.com/gp/help/reports/infringement/181-9683242-2399129?ie=UTF8&*Version*=1&entries*=0). See *Pltf's. Ex. # 3, Screen-shot of Amazon's Web-posting of Vagabond Natural Prior to Notification, & Pltf's. Ex. #11, Screen-shot of Amazon's Web-posting of Vagabond Natural After Notification, & Pltf's. Ex. #17, Amazon's Unauthorized Listing of Vagabond Natural after Repeated Notices, & Pltf's. Ex. #18, Amazon's "Report Infringement" Page Numbers 1-8, attached hereto.*

Notification via the Book Itself

58. Amazon had notice of its infringing conduct via the book itself which stated as follows: “Legal Notice – All rights reserved. No part of this book may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronically, mechanically, photocopying, recording or otherwise without the prior written consent of Henrietta Press and/or Reginald Hart. Information address: Henrietta Press P.O. Box 806551, Chicago, Illinois 60680-4126 U.S.A.” *See Pltf’s Ex. #12, Legal Notice to all via Hart’s Preface Page, attached hereto.*

Amazon’s Direct Infringement

59. Amazon on information and belief sold untold numbers of *infringing copies* of plaintiff’s book *Vagabond Natural* both directly and through its a) third party agent sellers.

***Amazon’s Direct Infringement Cont’d
Vagabond Natural was Embedded in the Text & Set on the Book’s Cover***

60. Moreover, without authorization from Hart, Amazon *directly infringed* upon plaintiff’s rights by inputting an exact reproduction, post and display to “millions” viewing its website, *copies of the constituent elements of the work that are original* via its *catalog listing* of the *consecutive wording*, *Vagabond Natural*. Plaintiff factually and purposefully made a specific phrase, *Vagabond Natural*, both the *content* and the *title* of his book: by embedding its unique and/or

original word sequence, Vagabond Natural, on each leaf of the copyrighted text (starting on page #1 all the way through to its ending page #280) and then placed the distinctive expression from the contents of his book on said book's cover. *See Pltf's. Ex. #13, Embedded Vagabond Natural Wording on Book Cover, & Pltf's. Ex. #14, Embedded Vagabond Natural Wording on Copyrighted Text Page 1, & Pltf's. Ex. #15, Embedded Vagabond Natural Wording on Copyrighted Text Page 280, attached hereto.*

Judicial Notice of the United States Copyright Office Public Catalog

61. In further support of the constituent elements of the work that are original, plaintiff asks this Honorable Court to take Judicial Notice of the United States Copyright Office *Public Catalog* at: www.copyright.gov/records , click on "Search the Catalog." In the Search for and Search by Title section of the public catalog, inputting the words *Vagabond Natural* as a search term, the Copyright Office will return only one listing, *Vagabond Natural* by plaintiff Reginald Hart. Conversely, keying in the word *Vagabond*, will display 730 entries. Keying in the word *Natural* in the Copyright Offices Public Catalog will display 9, 976 entries. In the early days, since plaintiff could not afford to pay for a trademark, he made both the copyrighted text and the title of his book's cover one and the same. www.copyright.gov/records (Last Visited on January 26, 2015). *See Pltf's. Ex. # 16, Screen-shots of Search the Catalog, Page 1 of 9, Public Catalog Page 2 of 9, Vagabond Natural Listing Page 4 of 9, Vagabond Listing Page 6 of 9, Natural Listing Page 8 of 9, attached hereto.*

62. Judicial Notice of Amazon's *Participation Agreement*, paragraph 20 which states in pertinent part: "Your grant. By entering into this agreement and listing an item, you grant us a royalty-free, non-exclusive, worldwide, perpetual, irrevocable right and license to use, reproduce, perform, display, distribute, adapt, modify, re-format, create derivative works of, and otherwise commercially or non-commercially exploit in any manner..." a) Plaintiff is not a signatory to the *Participation Agreement* and never authorized neither defendant nor its agents to copy and display *Vagabond Natural* on Amazon's website. See *Pltf's. Ex. #19, Amazon's Participation Agreement, Page 13, paragraph 20, attached hereto.*

Amazon's Foreseeability of its Direct Infringement of Pltf's. Copyright

63. Affirming Amazon's foreseeability of its obligation to plaintiff's copyright, defendant's *direct* infringement of *Vagabond Natural*, is revealed in the following language listed on its website to sellers of copyrighted works in the medium of Video, DVD & Blu-ray disc: "Required information [a] seller must provide in application process [;] Please note that you will need to provide the following information as [a] part of the application process: Your primary source(s) of inventory [;] An estimate of the quantity of units you plan to sell [;] A minimum of 3 invoices or purchase orders from your largest inventory source [;] Your application will be evaluated based on the information you supply." Regardless of the medium what bears upon each work is the inherent function of the copyright law wherein

Amazon assumed a duty to know the credible inventory source of its third party agent sellers who defendant rendered support services to through its website. Source:

http://www.amazon.com/gp/help/customer/display.html/ref=help_search_2-4/192-8993125-3110662?ie=UTF8&nodeId=201607560&qid=1420822351&sr=2-4

(Last visited January 28, 2015). *See Pltf's Ex. # 20, Selling on Amazon.Com Foreseeability Document, attached hereto.*

64. Without a credible inventory source, it was foreseeable to Amazon as principal that it should have identified the source of its third party agent sellers' inventory, wherein it would have discovered its own culpability in selling via its *Amazon.Com Order Numbers* both infringing and counterfeit copies of plaintiff's books. *See Pltf's Ex. # 20, Selling on Amazon.Com Foreseeability Document, attached hereto.*

65. Therefor, plaintiff hereby pleads that each infringing sale of defendant's third party agent sellers both known and unknown be imputed to Amazon as principal.

Pltf's Final Notice of Infringement to Amazon

66. Amazon received repeated notifications of its infringement of Hart's rights. But, as of January 4, 2015 defendant had continued to infringe upon plaintiff's copyrights by selling an infringing copy of *Vagabond Natural*. Amazon has therefore engaged in unfair trade practices and unfair competition arising out of its *direct infringement* both by the publication and sale of *Vagabond Natural*; consequently

causing irreparable damage to plaintiff's prospective business interest by Amazon's unauthorized sale of his copyrighted work. The Court may note that Amazon has listed *Henrietta Press*, Plaintiff's assumed business identity which was named after Hart's mother, in its product details, falsely implying that it had the consent of plaintiff to sell his books, thus causing deception in the literary marketplace. Amazon also listed the book value at a unit cost inconsistent with the price point set by plaintiff further damaging Hart in the literary marketplace. Defendant has also violated plaintiff's common-law trademark as indicated by exhibit number 12 which illustrates an open book and pages emerging therefrom. *See Pltf's. Ex. #21, Final Notice to Amazon, & Pltf's. Ex. # 22, The Back of the Book – ISBN Bar Coded Price Point of \$19.95, & Pltf's. Ex. # 23, A Listed Price Point of \$28.84, & Pltf's. Ex. #12, Preface Page of Hart's Book Containing his Trademark of Pages Rising from a Book, attached hereto.*

Amazon's Dishonest Possession and Control of the Evidence

67. As a protective matter plaintiff hereby pleads that Amazon has a dishonest possession and control of the evidence whereby defendant has already exhibited an affirmative act as a spoliator, by removing the identity of its name from plaintiff's exhibit number 11 which comparatively, Hart's exhibit number 3 clearly illustrates. For this reason the number of units sold worldwide may be discoverable by the entry of an Order requiring Amazon to place both television and radio Ads behind popular

shows: “A federal lawsuit has been filed in the Northern District of Illinois. Publisher Henrietta Press has requested information from the public regarding your purchase of the following books: *Vagabond Natural* and *Vagabond Spiritual* by author Reginald Hart. If you have purchased one of these books please contact Henrietta Press at P.O. Box 806551 Chicago, Illinois 60680-4126.” Sales of plaintiff’s books were worldwide as evidenced by Hart’s exhibit number 24 which has indicated that his books were sold in the United Kingdom. Appearing at the crown and foot of the document is the following Amazon web address: www.amazon.co.uk/Vagabond-Spiritual-Reginald-Hart/dp/0972027513 See *Pltf’s Ex. #24, Screen-shot of Amazon’s United Kingdom Web-posting of Vagabond Spiritual, attached hereto.*

68. On information and belief, the books Amazon and its third party agent sellers have sold, without a credible inventory source, are not only unauthorized infringements – they are counterfeits; for which Amazon’s liability to plaintiff was therein foreseeable.

69. As a proximate result of Amazon’s direct infringement of plaintiff’s books, Hart has been damaged therein.

Prayer for Relief

WHEREFORE, the plaintiff prays that this Court enter an Order granting the following relief:

(a) A finding that Amazon's infringement of plaintiff's copyrights was of a continuing nature despite Hart's repeated notices to defendant of its infringement.

(b) A finding that as to damages for each book sold plaintiff is allowed to *reach back* to defendant's first act of infringement to Amazon's last act of infringement.

(c) A finding that Amazon's acts of infringement were reckless, willful and intentional and that *punitive damages* are therefore warranted.

(d) Order Amazon to preserve all third party information of those who sold Hart's books for purposes of discovery.

(e) Except as to Hart's written consent, a permanent injunction pursuant to 17 U.S.C. §502 prohibiting Amazon's infringement conduct of copying, displaying, listing or reproducing any copyrighted work of Hart's books whatsoever in the future, inclusive of defendant providing support services to its third party agent sellers and all those in active concert or participation with it on its website.

(f) Order Amazon under Oath and penalty of perjury of its corporate officers to reveal the first day and year *Vagabond Natural* was *displayed* on its website and, the duration of time in which *Vagabond Natural* was *displayed* worldwide.

(g) Order Amazon under Oath and penalty of perjury of its corporate officers to reveal the first day and year *Vagabond Natural* was sold worldwide through its website and, the duration of time in which *Vagabond Natural* continued to be sold through its website; and the total number of copies sold to date.

(h) Order Amazon under Oath and penalty of perjury of its corporate officers to reveal each state and country where it, or its agents, mailed *Vagabond Natural*. And to disclose each of its warehouses which received plaintiff's books.

(i) Order that plaintiff's right for leave to motion the Court for the entry of an Order requiring Amazon to run Ads consistent with paragraph 67 of this pleading is permissible at any time before the close of discovery.

(j) Damages of \$150,000.00 pursuant to 17 U.S.C. §504 (a)(c)(2) for Amazon's direct and willful infringement of *Vagabond Natural*.

(k) Damages of \$150,000.00 pursuant to 17 U.S.C. §504 (a)(c)(2) for Amazon's reckless infringement as to each book sold through its website.

(l) Plaintiff's Court cost.

(m) Prospective attorney fees pursuant to 17 U.S.C. §505 when plaintiff eventually retains counsel and for additional relief that this Court deems just.

Plaintiff Requests Trial by Jury.

Count II
Copyright Infringement
Vagabond Spiritual
Amazon's Direct Infringement

70. The plaintiff by reference to paragraphs 1 through 69 incorporate them into paragraph 70 of this Count 2, Copyright Infringement, *Vagabond Spiritual*, Amazon's Direct Infringement, as though fully set forth herein verbatim.

Pltf's. Valid Ownership of Vagabond Spiritual

71. The plaintiff is the sole owner of a copyrightable book, *Vagabond Spiritual*, which to date is valid and enforceable pursuant to federal registration number TXu 1-188-783, effective on August 9, 2004. *See Pltf's. Ex. # 25, Vagabond Spiritual Certificate of Registration, attached hereto.*

Amazon's Unlawful Copying of Original Element: "Vagabond Spiritual"

72. Amazon unlawfully copied the original element of, *Vagabond Spiritual*, by *inputting into its catalog* the copyrighted language: *Vagabond Spiritual* onto its computer(s) and/or its website(s) and then published *Vagabond Spiritual* worldwide without plaintiff's consent. *See Pltf's. Ex. # 26, Screen-shot of Amazon's Web-posting of Vagabond Spiritual, attached hereto.*

73. Defendant directly infringed on plaintiff's copyright by its *Amazon Order Numbers* and, had a financial interest in, and did benefit from said direct infringement when it sold copies of Hart's books through its website a) even after plaintiff had placed Amazon on notice numerous times of its infringement so that b) the foregoing conduct of Amazon's infringement was willful and intentional in a reckless disregard of Hart's copyrights.

Plaintiff's Notification

74. On or about March 24, 2014 plaintiff sent notice via Certified Mail and return receipt, to defendant's corporate office and registered agent for legal process, asking Amazon to remove its infringing display of *Vagabond Spiritual* from its website forthwith. See *Pltf's. Ex. #'s 4-9, Certified & Return Receipt Postage, & Pltf's. Ex. # 10, Post Office Receipt, attached hereto.*

Judicial Notice of Plaintiff's Report Infringement Notifications

75. Affirming that Amazon received and understood the notice of its *direct* conduct of infringement, via both its corporate office and its registered agent, defendant then removed the identification of its name (Amazon) from its unlawful web-posting of plaintiff's book but, continued to *directly display* its infringing copy of *Vagabond Spiritual* worldwide on its site. Plaintiff asks this Honorable Court to take Judicial Notice of exhibits numbers **26 & 27**, comparatively, prior to notification, defendant's infringing display of *Vagabond Spiritual*, evinced Amazon as the seller of the

infringing copies of Hart's book; subsequent to plaintiff's March 2014 notification, defendant then erased its name as the seller of the infringing copies. The Court may note that Hart's exhibit number 27 illustrates that Amazon not only removed the identity of its name but, after plaintiff's well placed March notification to Amazon of its infringement, defendant also listed Hart's book as "Currently unavailable." Additionally, Amazon's website initially rejected Hart's electronic "Report Infringement" notifications. Yet, on information and belief, one electronic notification of infringement was received on December 30, 2014: "Dear Amazon, You are again committing infringement of my copyrights: *Vagabond Natural & Vagabond Spiritual*. These books have never been published to the public at large. How did you get them? For the seventh time [electronically] remove my books from your website! Or else I will sue you! [I have a good faith belief that the content(s) described above violate(s) my rights [...] or those held by the rights owner, and that the use of such content(s) is contrary to law. I declare, under penalty of perjury that the information contained in this notification is correct and accurate and that I am the owner or agent of the owner of the rights described above." Judicial Notice of plaintiff's exhibit number 18, the HTTPS (Hyper Text Transport Protocol Secure) address appearing at the foot of each "Report Infringement" document as (<https://www.amazon.com/gp/help/reports/infringement> pages 1-4), it has indicated that Amazon was electronically notified on December 30, 2014. By comparison the Court may note that pages 5-8 of Ex. # 18 has indicated zero entries for electronic

notification: https://www.amazon.com/gp/help/reports/infringement/181-9683242-2399129?ie=UTF8&*Version*=1&entries*=0. The top of plaintiff's exhibit number 28, page 1, shows that on October 8, 2014 Amazon continued to list *Vagabond Spiritual* despite having received repeated notices. Likewise, at the top of plaintiff's exhibit number 28, page 3, it also shows that on January 20, 2015 Amazon continued to list *Vagabond Spiritual* despite having received repeated notices. See Pltf's. Ex. # 26, Screen-shot of Amazon's Web-posting of *Vagabond Spiritual* Prior to Notification, & Pltf's. Ex. #27, Amazon's Web-posting of *Vagabond Spiritual* After Notification, & Pltf's. Ex. #28, Page 1 & Page 3 of Amazon's Unauthorized Listing of *Vagabond Spiritual* after Repeated Notices, & Pltf's. Ex. #18, Amazon's "Report Infringement" Page Numbers 1-8, attached hereto.

Amazon's Direct Infringement

76. Amazon on information and belief sold untold numbers of *infringing copies* of plaintiff's book *Vagabond Spiritual* both directly and through its a) third party agent sellers.

Amazon's Direct Infringement Cont'd Vagabond Spiritual was Embedded in the Text & Set on the Book's Cover

77. Moreover, without authorization from Hart, Amazon *directly infringed* upon plaintiff's rights by *inputting* an exact reproduction, post and display to "millions" viewing its website, *copies of the constituent elements of the work that are original* via its listing of the *consecutive wording*, *Vagabond Spiritual*.

Plaintiff by copyright, factually and purposefully made a specific phrase, *Vagabond Spiritual*, both the *content* and the *title* of his book: by embedding its unique and/or *original word sequence*, *Vagabond Spiritual*, on each leaf of the copyrighted text (starting on page #1 all the way through to its ending page #280) and then placed the distinctive expression from the contents of his book on said book's cover. *See Pltf's. Ex. #29, Embedded Vagabond Spiritual Wording on Book Cover, & Pltf's. Ex. #30, Embedded Vagabond Spiritual Wording on Copyrighted Text Page 1, & Pltf's. Ex. #31, Embedded Vagabond Spiritual Wording on Copyrighted Text Page 262, attached hereto.*

Judicial Notice of the United States Copyright Office Public Catalog

78. In further support of the constituent elements of the work that are original, plaintiff asks this Honorable Court to take Judicial Notice of the United States Copyright Office Public Catalog at: www.copyright.gov/records , click on "Search the Catalog." In the Search for and Search by Title section of the public catalog, inputting the words *Vagabond Spiritual* as a search term, the Copyright Office will return only three listings for *Vagabond Spiritual*, each of which are written by plaintiff Reginald Hart. Conversely, keying in the word *Vagabond*, will display 730 entries. Keying in the word *Spiritual* in the Copyright Offices Public Catalog will display 7, 851 entries. In the early days, since plaintiff could not afford to pay for a trademark, he made both the copyrighted text and the title of his book's cover one

and the same. www.copyright.gov/records (Last Visited on January 24, 2015). See *Pltf's. Ex. # 16, Screen-shots of Search the Catalog, & Pltf's. Ex. #32, Public Catalog Listing of Vagabond Spiritual Page 1 of 9, Spiritual Listing Page 2 of 9, Vagabond Spiritual Listings Page 4 of 9, attached hereto.*

77. Judicial Notice of Amazon's *Participation Agreement*, paragraph 20 which states in pertinent part: "Your grant. By entering into this agreement and listing an item, you grant us a royalty-free, non-exclusive, worldwide, perpetual, irrevocable right and license to use, reproduce, perform, display, distribute, adapt, modify, re-format, create derivative works of, and otherwise commercially or non-commercially exploit in any manner..." a) Plaintiff is not a signatory to the *Participation Agreement* and never authorized neither defendant nor its agents to copy and display *Vagabond Spiritual* on Amazon's website. See *Pltf's. Ex. #19, Amazon's Participation Agreement, Page 13, paragraph 20, attached hereto.*

Amazon's Foreseeability of its Direct Infringement of Pltf's. Copyright

79. Affirming Amazon's foreseeability of its obligation to plaintiff's copyright, defendant's *direct* infringement of *Vagabond Spiritual*, is revealed in the following language listed on its website to sellers of copyrighted works in the medium of Video, DVD & Blu-ray disc: "Required information [a] seller must provide in application process [;] Please note that you will need to provide the following information as [a] part of the application process: Your primary source(s) of

inventory [;] An estimate of the quantity of units you plan to sell [;] A minimum of 3 invoices or purchase orders from your largest inventory source [;] Your application will be evaluated based on the information you supply". Regardless of the medium what bears upon each work is the inherent function of the copyright law wherein Amazon assumed a duty to know the credible inventory source of its third party agent sellers who defendant rendered support services to through its website. Source: http://www.amazon.com/gp/help/customer/display.html/ref=help_search_2-4/192-8993125-3110662?ie=UTF8&nodeId=201607560&qid=1420822351&sr=2-4

(Last visited January 28, 2015). *See Pltf's Ex. # 20, Selling on Amazon.Com Foreseeability Document, attached hereto.*

80. Without a credible inventory source, it was foreseeable to Amazon as principal that it should have identified the source of its third party agent sellers' inventory, wherein it would have discovered its own culpability in selling via its *Amazon.Com Order Numbers* both infringing and counterfeit copies of plaintiff's books. *See Pltf's Ex. # 20, Selling on Amazon.Com Foreseeability Document, attached hereto.*

81. Therefor, plaintiff hereby pleads that each infringing sale of defendant's third party agent sellers both known and unknown be imputed to Amazon as principal.

Pltf's Final Notice of Infringement to Amazon

82. Amazon received repeated notifications of its infringement of Hart's copyrights. Amazon has therefore engaged in unfair trade practices and unfair competition arising out of its *direct infringement* both by the publication and sale of *Vagabond Spiritual*; consequently causing irreparable damage to plaintiff's prospective business interest by Amazon's unauthorized sale of his copyrighted work. The Court may note that Amazon has listed *Henrietta Press*, Plaintiff's assumed business identity which was named after Hart's mother, in its product details, falsely implying that it had the consent of plaintiff to sell his books, thus causing deception in the literary marketplace. Amazon also listed the book value from **\$13.95 to \$191.65**; a unit cost inconsistent with the price point set by plaintiff which further damaged Hart in the literary marketplace. Defendant has also violated plaintiff's common-law trademark as indicated by exhibit number 12 which illustrates an open book and pages emerging therefrom. *See Pltf's. Ex. #33, Page 1 of 2 with Listed Price Points from \$13.95 to \$191.65, attached hereto.*

Amazon's Dishonest Possession and Control of the Evidence

83. As a protective matter plaintiff hereby pleads that Amazon has a dishonest possession and control of the evidence whereby defendant has already exhibited an affirmative act as a spoliator, by removing the identity of its name from plaintiff's exhibit number 26 which comparatively, Hart's exhibit number 27 clearly illustrates.

For this reason the number of units sold worldwide may be discoverable by the entry of an Order requiring Amazon to place both television and radio Ads behind popular shows: “A federal lawsuit has been filed in the Northern District of Illinois. Publisher Henrietta Press has requested information from the public regarding your purchase of the following books: *Vagabond Natural* and *Vagabond Spiritual* by author Reginald Hart. If you have purchased one of these books please contact Henrietta Press at P.O. Box 806551 Chicago, Illinois 60680-4126.” Sales of plaintiff’s books were worldwide as evidenced by Hart’s exhibit number 24 which indicates his books were sold in the United Kingdom. Appearing at the crown and foot of the document is the following Amazon web address: www.amazon.co.uk/Vagabond-Spiritual-Reginald-Hart/dp/0972027513 See *Pltf’s Ex. #24, Screen-shot of Amazon’s United Kingdom Web-posting of Vagabond Spiritual, attached hereto.*

84. On information and belief, the books Amazon and its third party agent sellers have sold, without a credible inventory source, are not only unauthorized infringements – they are counterfeits; for which Amazon’s liability to plaintiff was therein foreseeable.

85. As a proximate result of Amazon’s direct infringement of plaintiff’s books, Hart has been damaged therein.

Prayer for Relief

WHEREFORE, the plaintiff prays that this Court enter an Order granting the following relief:

- (a) A finding that Amazon's infringement of plaintiff's copyrights was of a continuing nature despite Hart's repeated notices to defendant of its infringement.
- (b) A finding that as to damages for each book sold plaintiff is allowed to *reach back* to defendant's first act of infringement to Amazon's last act of infringement.
- (c) A finding that Amazon's acts of infringement were reckless, willful and intentional and that *punitive damages* are therefore warranted.
- (d) Order Amazon to preserve all third party information of those who sold Hart's books for purposes of discovery.
- (e) Except as to Hart's written consent, a permanent injunction pursuant to 17 U.S.C. §502 prohibiting Amazon's infringement conduct of copying, displaying, listing or reproducing any copyrighted work of Hart's books whatsoever in the future, inclusive of defendant providing support services to its third party agent sellers and all those in active concert or participation with it on its website.
- (f) Order Amazon under Oath and penalty of perjury of its corporate officers to reveal the first day and year *Vagabond Spiritual* was *displayed* on its website and, the duration of time in which *Vagabond Spiritual* was *displayed* worldwide.

(g) Order Amazon under Oath and penalty of perjury of its corporate officers to reveal the first day and year *Vagabond Spiritual* was sold worldwide through its website and, the duration of time in which *Vagabond Spiritual* continued to be sold through its website; and the total number of copies sold to date.

(h) Order Amazon under Oath and penalty of perjury of its corporate officers to reveal each state and country where it, or its agents, mailed *Vagabond Spiritual*. And to disclose each of its warehouses which received plaintiff's books.

(i) Order that plaintiff's right for leave to motion the Court for the entry of an Order requiring Amazon to run Ads consistent with paragraph 83 of this pleading is permissible at any time before the close of discovery.

(j) Damages of \$150,000.00 pursuant to 17 U.S.C. §504 (a)(c)(2) for Amazon's direct and willful infringement of *Vagabond Spiritual*.

(k) Damages of \$150,000.00 pursuant to 17 U.S.C. §504 (a)(c)(2) for Amazon's reckless infringement as to each book sold through its website.

(l) Plaintiff's Court cost.

(m) Prospective attorney fees pursuant to 17 U.S.C. §505 when plaintiff eventually retains counsel and for additional relief that this Court deems just.

Plaintiff Requests Trial by Jury.

Count III

Copyright Infringement

Vagabond Natural & Vagabond Spiritual

Amazon's Vicarious Infringement

86. The plaintiff by reference to paragraphs 1 through 85 incorporate them into paragraph 86 of this Count 3, Copyright Infringement, *Vagabond Natural* and *Vagabond Spiritual* Amazon's Vicarious Infringement, as though fully set forth herein verbatim.

Amazon's Unauthorized Vicarious Copying of Vagabond Natural and Spiritual Amazon's Right and Ability to Supervise the Infringing Activity of Third Parties

87. Without consent from the plaintiff, Amazon by way of its January 4, 2015 Order Number acted vicariously through the agency of its third party sellers when, defendant sold an infringing copy of *Vagabond Natural* through its website. *See Pltf's. Ex. #'s 35 & 36, Purchase Order for Vagabond Natural, attached hereto.*

88. By reason of Hart's repeated notifications of infringement activity to Amazon, defendant through said notification had the right and ability to supervise the infringing conduct of its third party sellers. Amazon further had a right by a) the imposition of fees; b) enabling and/or activating the sellers account; c) by processing each and every transaction effectuated therein and, d) by monetarily supervising and controlling its agent sellers through its participation agreement with them. *See Pltf's. Ex. #19, Participation Agreement, Paragraphs 2, 5(g), 6, 11, 13(b), & 21, attached hereto.*

Amazon's has a Direct Financial Interest in the Infringing Activity of its Sellers

89. Amazon had a direct financial interest in the infringing activity of its third party sellers as evidenced by its issuance of an Amazon.Com Order Number it assigned to each infringing copy of plaintiff's books it sold. *See Pltf's. Ex. #'s 35 & 36, Amazon.Com Order Number for the sale of Vagabond Natural, attached hereto.*

90. Judicial Notice of Amazon, it is a sophisticated company and has vicariously used *third party agent sellers* to shield, defeat, or otherwise immune itself from copyright lawsuits; a) should defendant speciously cite to the DMCA and claim it is not an Online Retailer, but an Internet Service Provider in the broadest sense of the term – in order to deceptively use *safe harbors* provisions – Hart hereby pleads *equitable estoppel*. Because, despite defendant's sophistication, b) its responses to plaintiff's repeated notifications were untimely; in addition to c) its own direct infringement as well as its control and financial interest in the infringing activity of its third party agent sellers, Amazon has factually foreclosed on any prospective defense claims it may assert arising out of any *safe harbor* provisions.

91. Amazon's foregoing vicarious infringement conduct was willful and intentional where plaintiff had issued repeated notices to defendant of its infringement, but Amazon persisted on therein in disregard of Hart's copyrights.

92. On information and belief, the books Amazon and its third party agent sellers have sold, without a credible inventory source, are not only unauthorized infringements – they are counterfeits; for which Amazon’s liability to plaintiff was therein foreseeable.

93. As a direct and proximate result of Amazon’s vicarious infringement of plaintiff’s books, Hart has been damaged therein.

Prayer for Relief

WHEREFORE, the plaintiff prays that this Honorable Court enter an Order on a Jury verdict granting the following relief:

(a) Damages *in excess* of \$75,000.00.

(b) Punitive damages *in excess* of \$75,000.00.

Plaintiff Requests Trial by Jury.

Count IV
Direct Copyright Infringement
Vagabond Natural

Glenda Scales Third Party Agent Seller of Amazon

94. The plaintiff by reference to paragraphs 1 through 93 incorporate them into paragraph 94 of this Count 4, Direct Copyright Infringement, *Vagabond Natural* Glenda Scales, third party agent seller of defendant Amazon as though fully set forth herein verbatim.

Pltf's. Valid Ownership of Vagabond Natural

95. The plaintiff is the sole owner of a copyrightable book *Vagabond Natural*, which to date is valid and enforceable pursuant to federal registration number TXu 1-909-041, effective on May 5, 2014. *Vagabond Natural* is a derivative of *My Life as a Homeless Man*. See *Pltf's. Ex. # 2, Vagabond Natural Certificate of Registration*, attached hereto.

Unlawful Copying by Glenda Scales Third Party Agent Seller of Deft. Amazon

96. On or about January 4, 2015 Scales, the third party agent seller of defendant Amazon, without authorization from Hart unlawfully copied in its entirety his original work of *Vagabond Natural*. See *Pltf's. Ex. # 34, Sample Excerpts of Scales Infringing Copy of Vagabond Natural Received in the US Mail*, attached hereto.

Glenda Scales Third Party Agent Seller of Defendant Amazon

97. On or about January 4, 2015 through Third Party Agent Seller Scales, Amazon unlawfully processed an infringing sale of Hart's book *Vagabond Natural* despite having received repeated notices of its infringement. To add insult to injury, the purchase order states: "Thanks for buying on Amazon [...]." See *Pltf's Ex. # 35, Purchase Order for Vagabond Natural, & Pltf's Ex. # 36, Amazon Order Number, & Pltf's Ex. # 37, Scales USPS Prepaid Mailing Label, attached hereto.*

98. On information and belief, the books Amazon and its third party agent sellers have sold, without a credible inventory source, are not only unauthorized infringements – they are counterfeits; for which Amazon's liability to plaintiff was therein foreseeable.

99. As a proximate result of Scales direct infringement of plaintiff's books, Hart has been damaged therein.

Prayer for Relief

WHEREFORE, the plaintiff prays that this Honorable Court enter an Order on a Jury verdict granting the following relief:

(a) Damages *in excess* of \$75,000.00.

(b) Punitive damages *in excess* of \$75,000.00.

Plaintiff Requests Trial by Jury.

Count V
Contributory Copyright Infringement
Vagabond Natural

Amazon's Contributory Copyright Infringement

100. The plaintiff by reference to paragraphs 1 through 99 incorporate them into paragraph 100 of this Count 5, Amazon's Contributory Copyright Infringement of *Vagabond Natural*, as though fully set forth herein verbatim.

Amazon Directly Infringed on Hart's Copyrights

101. Amazon, itself a primary infringer, directly infringed on Hart's copyrights when it, by computer *input to its catalog*, unlawfully copied reproduced and displayed worldwide on its website, without plaintiff's consent, the *constituent elements* of Hart's original work: *Vagabond Natural*.

Scales Directly Infringed on Hart's Copyrights

102. Scales, a primary infringer, directly infringed on Hart's copyrights when defendant unlawfully copied, in its entirety, without plaintiff's consent, his book of original work *Vagabond Natural*.

Amazon's Knowledge of the Infringement

103. Hart via certified mail and electronically through defendant's own website, repeatedly notified Amazon of its infringement beginning in March of 2014 through January 2015, but to no avail as Amazon persisted on therein. *See Pltf's. Ex. #'s 4-9, Certified & Return Receipt Postage, & Pltf's. Ex. # 10, Post Office Receipt, & Pltf's. Ex. #18, Amazon's "Report Infringement" Page Numbers 1-8, attached hereto.*

Amazon's First Material Contribution to the Infringement

104. Amazon materially contributed to the infringement when it, by computer input, copied reproduced and displayed on its website, without plaintiff's consent, the *constituent elements* of Hart's original work: *Vagabond Natural*. *See Pltf's. Ex. # 3, Screen-shot of Amazon's Web-posting of Vagabond Natural, attached hereto.*

Amazon Second Material Contribution to the Infringement

105. On or about January 4, 2015 through Third Party Agent Seller Scales, Amazon *through its personal conduct assisted* in the primary infringements when it unlawfully *processed* an infringing sale of Hart's book *Vagabond Natural* despite having received repeated notices of its infringements. To add insult to injury, the purchase order states: "Thanks for buying on Amazon [...]." *See Pltf's. Ex. # 35, Purchase Order for Vagabond Natural, & Pltf's Ex. # 36, Amazon Order Number, & Pltf's. Ex. # 37, Scales USPS Prepaid Mailing Label, attached hereto.*

106. On information and belief, the books Amazon and its third party agent sellers have sold, without a credible inventory source, are not only unauthorized infringements – they are counterfeits; for which Amazon’s liability to plaintiff was therein foreseeable.

107. As a proximate result of Amazon’s Contributory infringement of plaintiff’s books, Hart has been damaged therein.

Prayer for Relief

WHEREFORE, the plaintiff prays that this Honorable Court enter an Order on a Jury verdict granting the following relief:

(a) Damages *in excess* of \$75,000.00.

(b) Punitive damages *in excess* of \$75,000.00.

(c) Prospective attorney fees pursuant to 17 U.S.C. §505 when plaintiff eventually retains counsel and for additional relief that this Court deems just.

Plaintiff Requests Trial by Jury.

Count VI
Negligence
Spoliation of Evidence

108. The plaintiff by reference to paragraphs 1 through 107 incorporate them into paragraph 108 of this Count 6, Amazon's spoliation of evidence, as though fully set forth herein verbatim.

Amazon Owed a Duty to Hart

109. Amazon owed a duty to Hart by reason of its affirmative act of spoliation of evidence – where defendant factually removed the identity of its name from its web-display of plaintiff's copyrighted text subsequent to it having received notification in March of 2014 to remove his books from its site forthwith. *See Pltf's. Ex. # 3, Screen-shot of Amazon's Web-posting of Vagabond Natural Prior to Notification, & Pltf's. Ex. #'s 4-9, Certified & Return Receipt Postage, & Pltf's. Ex. # 10, Post Office Receipt, & Pltf's. Ex. #11, Screen-shot of Amazon's Web-posting of Vagabond Natural After Notification, & Pltf's. Ex. # 26, Screen-shot of Amazon's Web-posting of Vagabond Spiritual Prior to Notification, & Pltf's. Ex. #27, Screen-shot of Amazon's Web-posting of Vagabond Spiritual After Notification, attached hereto.*

110. The law imposed a duty upon Amazon: “A tortfeasor has a duty to assist his victim. The initial injury creates a duty of aid and the breach of the duty is an independent tort. See Restatement (Second) of Torts § 322, Comment c (1965). This principle applies to a statutory tort such as copyright infringement.” *Taylor v. Meirick*, 712 F.2d 1112, 1117 (7th Cir. 1983).

Amazon Breached its Duty to Hart

111. Amazon by its affirmative act of having removed the identity of its name from its web-display of Hart’s books breached its assumed duty of care to preserve evidence of its direct infringement, duration of infringement, sales quantity, sales revenue and infringing third party seller information that it knew was material to a potential civil action.

Causation: Amazon Sold an Untold Number of Books

112. As a proximate result, Hart was injured by Amazon’s failure and/or breach of duty to ascertain a *credible inventory source* for the sale of counterfeited books wherein defendant through spoliation of evidence foreclosed on plaintiff’s proof to prove at trial that an untold number of units were unlawfully sold to the public.

http://www.amazon.com/gp/help/customer/display.html/ref=help_search_2-4/192-8993125-3110662?ie=UTF8&nodeId=201607560&qid=1420822351&sr=2-4

(Last visited January 28, 2015). See *Pltf’s Ex. # 20, Selling on Amazon.Com Foreseeability Document, attached hereto.*

It was Foreseeable to Amazon

113. Amazon both by its affirmative act of removing the identity of its name from its unlawful web-posting of plaintiff's text in contemplation of a probable lawsuit and, its assumed duty and failure therein to ascertain a *credible inventory source* for Hart's books were therefor foreseeable to defendant that it had an obligation of care to preserve all evidence material to a potential litigation.

Damages

114. As to accounting for each of the untold number of units lost through defendant's spoliation of the evidence, which would have proven at trial greater damages, but for Amazon's spoliation; especially where defendant listed plaintiff's books from \$13.95 to \$191.65, which further damaged plaintiff's business interest in the literary marketplace and, under a willful damages model of \$150,000.00 equivalent to 17 U.S.C. §504 (a)(c)(2) for Amazon's *direct* and intentional infringement, plaintiff prays for damages *in excess* of \$75,000.00. *See Pltf's. Ex. #33, Page 1 of 2 with Listed Price Points from \$13.95 to \$191.65, & Pltf's. Ex. #'s 35 & 36, Amazon.Com Order Number for the sale of Vagabond Natural, attached hereto.*

Prayer for Relief

WHEREFORE, the plaintiff prays that this Honorable Court enter an Order on a Jury verdict granting the following relief:

- (a) Damages *in excess* of \$75,000.00.
- (b) Punitive damages *in excess* of \$75,000.00.

Plaintiff Requests Trial by Jury.

Count VI
Right of Publicity (“IRPA”)
765 ILCS 1075/1-60

Appropriation of Hart’s Name

115. Amazon without Hart’s consent misappropriated the identity of plaintiff’s name when in March of 2014 it ran ads alongside of his persona for *Pampers Cruisers*, a Procter and Gamble Company product, and an Ad for *U-verse High Speed Internet* a communications product of AT&T, AT&T, Inc.; these Ads reached millions according to Amazon. *See Pltf’s. Ex. # 39, Page 1 of 2, Pampers Cruisers Ad, & Pltf’s. Ex. # 40, AT&T U-verse High Speed Internet Ad, & Pltf’s. Ex.#38, “Sell on Amazon and Reach Millions,” attached hereto.*

Without Hart’s Consent

116. Hart at all times relevant never once gave Amazon and/or its third party agent sellers consent to use the identity of his name or likeness with the above Ad exhibits.

For Amazon’s Commercial Benefit

117. The above exhibit Ads were for the commercial benefit of Amazon, Procter and Gamble and AT&T.

Judicial Notice of Amazon's Republication

118. Judicial Notice of Amazon's unlawful use of the identity of plaintiff's name, defendant's advertisements were not a *static event* – Amazon often altered and/or changed its *catalog* (computer input) possession of plaintiff's persona, in order to *republish* it with new sponsored Ads. For example, Amazon combined its own in-house Ads, *Kindle & Audible Download*, with "...Sponsored links Ads" on behalf of *Ahh Green Spa*, *Buy Fine Photography*, these Ads ran on January 2, 2015 (Ex. # 43 page 5 of 6). On January 4, 2015 there were no Ads ran with Hart's identity (Ex.#44 page 1 of 2). On January 20, 2015 there were sponsored Ads ran with Hart's identity for, *Trip Adviser*, *Urban Outfitters* and the *Orbis Corporation* (Ex.#47 page 1 of 3). These Ads also ran in other countries such as the United Kingdom which was republished on January 28, 2015 (Ex.#52 page 1 of 2). A subsequent UK Ad for *Urban Outfitters* was republished on January 31, 2015 containing additional sponsored links for, *Vagabond at Office* and *Spirituality & Health Mag [azine]* (Ex.#53 page 1 of 2). Therefor Amazon engaged in a republication through a new sponsored link(s) each time it presented the web-posting to an ever changing audience. *See Pltf's. Ex. #'s 41 through 53, Amazon Screen-shots with Ads, attached hereto.*

119. Amazon not only misappropriated the identity of Hart's name, defendant also misappropriated Hart's likeness as well. *See Pltf's. Ex.#54, Hart's Likeness, attached hereto.*

***Hart's. Repeated Notification to Amazon
Judicial Notice of Amazon's Catalog: Deft. Finally Removed Hart's Work***

120. Judicial Notice of Amazon's Catalog: defendant finally removed Hart's work. On or about January 21, 2015 after receiving repeated notifications from Hart, Amazon emailed plaintiff a response stating the following: "It typically takes 2-3 days for a listing to disappear once it has been removed from our *catalog*. We trust this will bring this matter to a close." (*Emphasis added*). See *Pltf's. Ex.#55, Certified Return Receipt, & Pltf's. Ex.#56, Amazon Notification to Hart, attached hereto*.

121. On or about January 23, 2015 Amazon deleted from its United States *catalog* Hart's identity. However, its United Kingdom *catalog* has continued to post Ads with plaintiff's name. See *Pltf's. Ex.# 57, Deleted listing, & Pltf's. Ex.#58, Deleted listing, & UK Screen-shot of Hart's identity, page 1 of 2, attached hereto*.

Amazon's Limited License Agreement

122. Amazon has a limited license agreement which presumably its third party seller agents are required to sign regarding promotion and distribution. This document is evidence of defendant's assumed duty to know the *publicity* of what's listed on its website. Even if the initial contravention of the IRPA originated with third party sellers, Amazon had a supervisory awareness of the *publicity rights* arising out of its listings through its relevant *limited license agreement*; especially given the spoliation of its name from the site and Hart's repeated notifications to remove said listings forthwith. See *Pltf's. Ex.#60, Amazon's Limited License Agreement, attached hereto*.

Damages Attributable to all Unauthorized Ads

123. Withstanding any spoliation thereof, Hart hereby pleads that he is entitled to damages attributable to all *unauthorized* Ads used together with his Identity and likeness by Amazon both nationally and internationally.

Prayer for Relief

WHEREFORE, the plaintiff prays that this Honorable Court enter an Order on a Jury verdict granting the following relief:

- (a) Damages *in excess* of \$75,000.00.
- (b) Punitive damages *in excess* of \$75,000.00 for Amazon's reckless disregard of Hart's *publicity* rights.
- (c) Plaintiff's Court cost.
- (d) Prospective attorney fees pursuant to 765 ILCS 1075 §55 when plaintiff eventually retains counsel and for additional relief that this Court deems just.

Plaintiff Requests Trial by Jury.

Count VIII

Aiding and Abetting Wrongful Acts

Counterfeit Products

Scales and Unknown Third Party Agent Sellers of Amazon Performed A Wrongful Act Causing Injury to Hart

124. Scales and unknown third party agent sellers of Amazon performed the wrongful acts of producing *counterfeit products* not authorized by Hart and therein caused injury to him. See *Pltf's. Ex. # 34, Scales Unauthorized Product, & Pltf's. Ex. # 35, Unauthorized Product Purchase Order, & Pltf's Ex. # 36, Amazon's Unauthorized Product Order Number, & Pltf's. Ex. # 37, Scales USPS Prepaid Mailing Label, attached hereto.*

Amazon was Aware of its Role when it Provided the Assistance To Scales & Third Party Agent Sellers

125. Defendant after having received notices from Hart of its unauthorized listing and, subsequent thereto in processing each transaction and issuing an Amazon.com Order Number, was therefor aware of the sale of *counterfeit products* through both it's **a)** assumed duty to know the inventory source and, **b)** its effectuated operation of having provided assistance to Scales and third party agent sellers by way of support services through its website(s). See *Pltf's Ex. # 20, Selling on Amazon.Com Foreseeability Document, attached hereto.*

Amazon Knowingly & Substantially Assisted the Violation

126. After receiving notification from Hart beginning in March of 2014 through January 2015 and, in failing its own assumed duty to know the inventory source of the products it sold, Amazon knowingly and substantively under paragraph three of the participation agreement, assisted in the violation of selling *counterfeit products* when it processed such a sale under Amazon Order Number: 107-9206324-7041857 the same Order Number used by counterfeiter Scales. Amazon then required Scales to remove its name from the counterfeit sale yet left its Order number listed thereupon. See *Pltf's. Ex.# 36, Amazon Order Number, & Pltf's. Ex.# 35, Scales Order ID, & Pltf's. Ex.#19, Participation Agreement, Page 2 paragraph 3, Page 7, paragraph 6, Page 10, paragraph 14(b), attached hereto.*

Prayer for Relief

WHEREFORE, the plaintiff prays that this Honorable Court enter an Order on a Jury verdict granting the following relief:

- (a) Damages *in excess* of \$75,000.00.
- (b) Punitive damages *in excess* of \$75,000.00.
- (c) Plaintiff's Court cost.

Plaintiff Requests Trial by Jury.

Count IX
Intentional Infliction of Emotional Distress
(“IIED”)

127. The plaintiff by reference to paragraphs 1 through 114 incorporate them into paragraph 127 of this Count 9, Intentional Infliction of Emotional Distress, as though fully set forth herein verbatim.

Amazon’s Extreme and Outrageous Conduct

128. After receiving repeated notices and having intentionally and recklessly disregarded its assumed duty to know the inventory source of its third party seller agents, it was therefore outrageous that Amazon a wealthy company would take from Hart who is financially poor; defendant’s actions were objectively extreme and outrageous under the circumstances.

129. Amazon intentionally disregarded Henrietta Press and/or Reginald Hart as a legitimate inventory source, avariciously preferring unlawful means over the lawful; defendant’s actions were therefor objectively extreme and outrageous in a civilized society.

***Amazon Knew There was a High Probability its Conduct
Would Cause Severe Emotional Distress***

130. Amazon having assumed a duty to know the credibility of its inventory source and with repeated notifications since March of 2014 through January of 2015 to remove its unauthorized listings, defendant therein knew that its conduct would cause Hart severe emotional distress.

131. Plaintiff via certified mail having put Amazon on notice back in March of 2014 as set forth above in Hart's affidavit knew that there was a high probability its conduct would cause severe emotional distress to the plaintiff; especially were the notifications were well placed having been served on both its corporate office and its registered agent for legal process.

Amazon's Conduct did in fact Cause Hart Emotional Distress

132. Plaintiff experienced emotional distress which is ongoing at seeing the theft and exploitation of his property on Amazon's website; even where Hart had previously ordered defendant to remove its listings forthwith in March of 2014 but defendant would not do so until January 2015.

133. Objectively, as set forth within Hart's affidavit and throughout this pleading, Amazon's conduct was taken by complainant willfully, intentionally and, with a reckless indifference to his rights.

134. As a result of Amazon's conduct Hart has sustained severe emotional injuries which are ongoing. The plaintiff has also experienced increased worrying, conscious nuisance of corporate distrust, headaches and a general ongoing feeling of having been violated.

Prayer for Relief

WHEREFORE, the plaintiff prays that this Honorable Court enter an Order on a Jury verdict granting the following relief:

- (a) Damages *in excess* of \$75,000.00.
- (b) Punitive damages *in excess* of \$75,000.00.
- (c) Plaintiff's Court cost.

Plaintiff Requests Trial by Jury.

Fed. R. Civ. P. 19 (a)(c)(1)(2)
Others with Access to Hart's Books

This complaint does not join as a party, *Better World Books* (agent seller of Amazon), *Hamilton brutus_2000* (agent seller of Amazon) and other third party agent sellers both known and unknown; *Ingram Book Company* (distributor-Barton Stump-contact), *Baker and Taylor* (distributor-Robin Bright-contact), *Independent Publishers* (distributor-Kassia Piebarz-contact), *BookMasters, Inc* (printers of *Vagabond Spiritual*-Emily McQuate- Account Executive-contact), *McNaughton & Gunn, Inc* (printer with access to *Vagabond Natural*-contact-Renee Lane), and *Publishers' Graphics, LLC* (printer of *Vagabond Natural*-contact-?-Dough-?), pending discovery from Amazon.

Dated: February __, 2015

Respectfully submitted,

/s/ Reginald Hart

Reginald Hart
POB 806551
Chicago, IL 60680

(773) 972-1939

rhart24@um.att.com

Original

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Reginald Hart,)	
Plaintiff,)	
)	
Vs.)	Case No.:
Amazon.Com, Inc.,)	Judge:
Glenda Scales an Individual,)	Plaintiff Demands Trial by Jury
All Known and Unknown Third)	
Party Agent Sellers of Amazon,)	
)	
Defendants.)	

Exhibits Numbered 1-60

(Labeled at Bottom Right Corner of Each Exhibit Page)

Type of Work: Text

Registration Number / Date:

TXu000488125 / 1991-08-27

Title:

My life as a homeless man.

Copyright Claimant:

Reginald Laurel Hart, 1969-

Date of Creation: 1991

Names:

Hart, Reginald Laurel, 1969-

=====



Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maria A. Pallante

Register of Copyrights, United States of America

Registration Number
TXu 1-909-041

Effective date of
registration:
May 5, 2014

Title

Title of Work: Vagabond "Natural" Travelin' Man

Completion/Publication

Year of Completion: 2007

Author

Author: Reginald Hart

Author Created: text, editing, artwork

Citizen of: United States

Year Born: 1969

Copyright claimant

Copyright Claimant: Reginald Hart

POB 806551, Chicago, IL, 60680-4126, United States

Limitation of copyright claim

Material excluded from this claim: text

~~Previous registration and year: TXu000488125 1991~~

New material included in claim: text, editing, artwork

Rights and Permissions

Organization Name: Self

Name: Reginald Hart

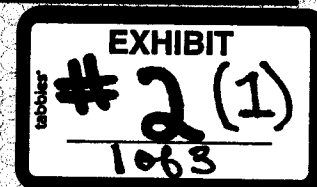
Email: rhart24@yahoo.com

Address: POB 806551

Chicago, IL 60680 United States

Telephone: 773-972-1939

Certification



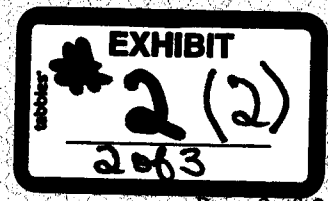
Name: Reginald Hart

Date: September 24, 2014

Correspondence: Yes



00001XU0019090410201

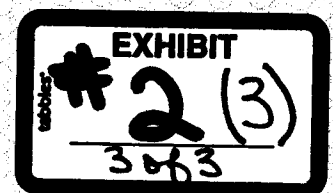


Registration #: TXU001909041

Service Request #: 1-1358412651



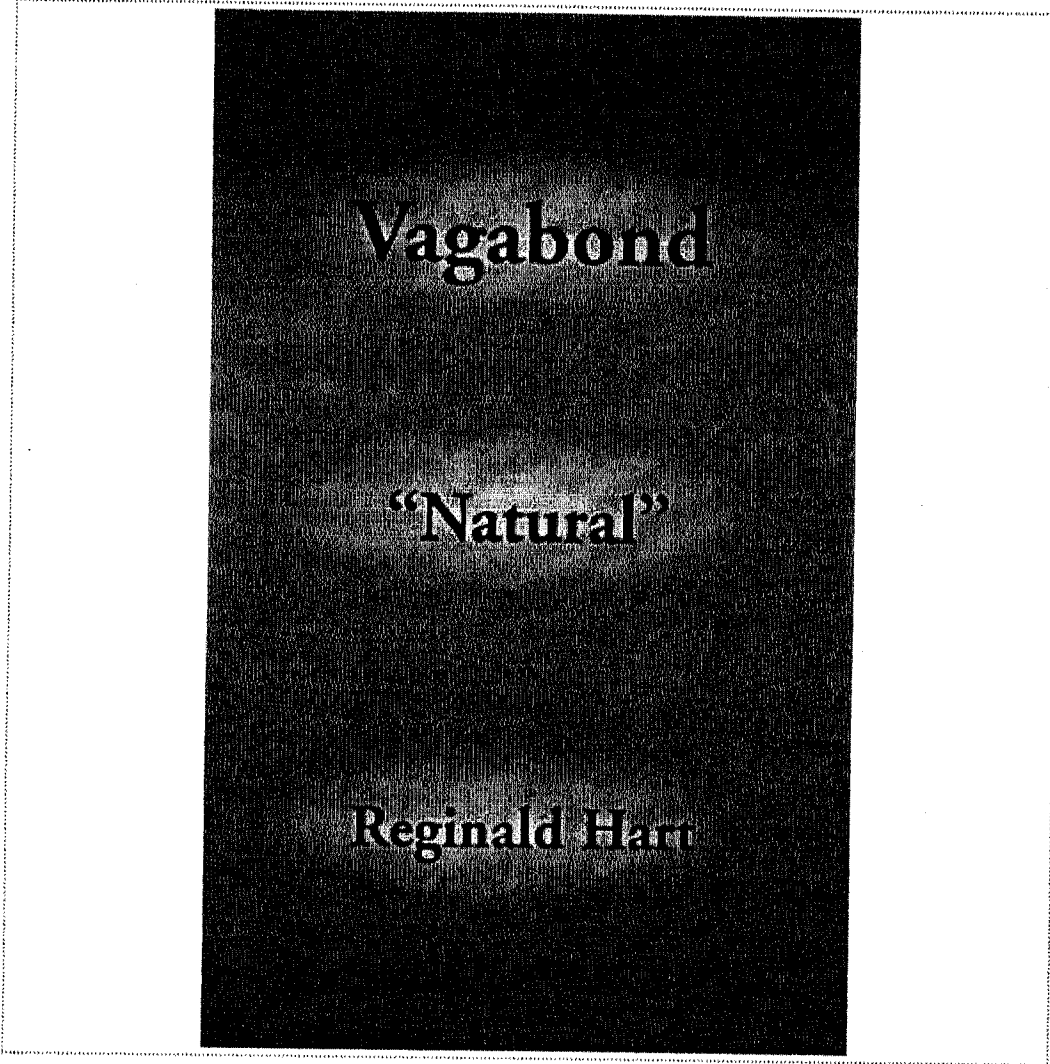
Self
Reginald Hart
POB 806551
Chicago, IL 60680-4126 United States



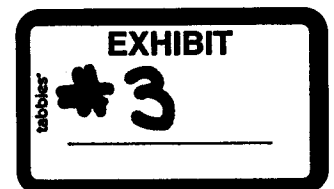
amazon.com

Close window

Vagabond: "Natural"

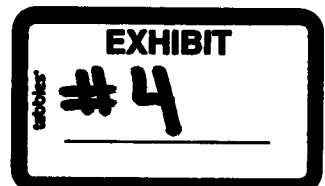


Close Window





5559 9565 0000 020E ETOL

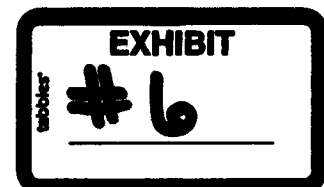
U.S. Postal Service™		
CERTIFIED MAIL™ RECEIPT		
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>		
For delivery information visit our website at www.usps.com ®		
OFFICIAL USE		
Postage	\$ 5.60	0804
Certified Fee	\$2.70	Postmark Here
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 11.60	03/24/2014
Sent To <i>Jeffrey Beyos / Amazon, Corp, etc.</i> Street, Apt. No., or PO Box No. <i>440 Terry Ave N</i> City, State, ZIP+4 <i>Seattle, WA 98109-5210</i>		
PS Form 3800, August 2006		See Reverse for Instructions



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature X <i>Cal</i></p> <p>B. Received by (Printed Name) <i>Roman</i></p> <p>C. Date of Delivery <i>MAR 25 2014</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>1. Article Addressed to:</p> <p><i>Amazon.com, Inc.</i> <i>100 Jeffrey Bay</i> <i>410 Terry Ave N</i> <i>Seattle, WA 98109-5210</i></p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input checked="" type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number (Transfer from label)</p> <p><i>EF 079623764 418</i></p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>			



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature </p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Corporation Services Company 300 Deschutes Way SW Ste 300 Tumwater, WA 98501-1119</p>		<p>B. Received by (Printed Name) </p>	<p>C. Date of Delivery 6-26-14</p>
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. 7013 3020 0000 5956 6562</p>			
<p>PS Form 3811, July 2013 Domestic Return Receipt</p>			



U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent to **Corporation**
Street, Apt. No.,
or PO Box No. **300 Deschutes Way Ste 304**
City, State, ZIP+4[®] **Tumwater, WA 98501-7719**

PS Form 3800, August 2006 See Reverse for Instructions



Reginald Hart
POB 806551
Chicago, Illinois 60680-4126

Certified Mail 7013 3020 0000 5956 6555
Certified Mail 7013 3020 0000 5956 6562

Mr. Jeffrey Bezos C.E.O.
Amazon.Com, Inc.
440 Terry Ave N
Seattle, WA 98109-5210

Corporation Service Company
300 Deschutes Way SW Ste.: 304
Tumwater, WA 98501-7719

March 23, 2014

Dear Mr. Bezos:

Listed on Amazon.com are the following titles *Vagabond Natural* and *Vagabond Spiritual*. How is it that a reputable company such as Amazon, has made available for sale pirated and unpublished books to the public? It is incredibly painful to me that books born out of my adversity and purposed to end homelessness in our country are listed on your website without my authorization and without compensation to my person. In America on most of our courtroom walls is the epigraph, "In God We Trust". I am a Christian and I trust in God. Therefore, instead of sending out numerous press releases, I will first seek a confidential and out-of-court settlement before I take any legal action. Please remove the aforestated titles from all of your websites forthwith. Finally, please disclose to me the length of time my unpublished titles have been listed for sale at Amazon.com both nationally and internationally and, how many units have sold. I hope that we reach a confidential settlement in this matter. Said settlement will generate millions of dollars for Amazon worldwide and allow me to end homelessness both in the U.S. and abroad; because God has blessed me to do so with a sufficient financial and legislative system.

Respectfully submitted,

Reginald Hart
Encl.



CUSTOMER USE ONLY

FROM: (PLEASE PRINT) **PHONE:** ()

Reginald Hart
POB 806551
Chicago, Ill. 60680-4126



EF 079623764 US

UNITED STATES
POSTAL SERVICE®PRIORITY
★ MAIL ★
EXPRESS™

PAYMENT BY ACCOUNT (if applicable)

USPS® Corporate Acct. No. Federal Agency Acct. No. or Postal Service™ Acct. No.

DELIVERY OPTIONS (Customer Use Only)

☒ **SIGNATURE REQUIRED** Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service; If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

Delivery Options

- ☐ No Saturday Delivery (delivered next business day)
- ☐ Sunday/Holiday Delivery Required (additional fee, where available*)
- ☐ 10:30 AM Delivery Required (additional fee, where available*)
- *Refer to USPS.com® or local Post Office® for availability.

TO: (PLEASE PRINT) **PHONE:** ()

Amazon.com, Inc.
c/o Jeffrey Bezos
440 Terry Ave N
Seattle, WA

ZIP + 4® (U.S. ADDRESSES ONLY)

9 8 1 0 9 - 5 2 1 0

- For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.
- \$100.00 Insurance Included.

ORIGINAL (POSTAL SERVICE USE ONLY)

<input checked="" type="checkbox"/> 1-Day		<input type="checkbox"/> 2-Day		<input type="checkbox"/> Military		<input type="checkbox"/> DPO	
PO ZIP Code 60680		Scheduled Delivery Date (MM/DD/YY) 03.25.14		Postage \$ 19.99			
Date Accepted (MM/DD/YY) 03.24.14		Scheduled Delivery Time <input type="checkbox"/> 10:30 AM <input checked="" type="checkbox"/> 3:00 PM <input type="checkbox"/> 12 NOON		Insurance Fee \$		COD Fee \$	
Time Accepted 11:39 AM		10:30 AM Delivery Fee \$		Return Receipt Fee \$ 2.70		Live Animal Transportation Fee \$	
Weight 2.90 lbs.		Sunday/Holiday Premium Fee \$		Total Postage & Fees \$ 22.69			
		Acceptance Employee Initials					

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt (MM/DD/YY)	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt (MM/DD/YY)	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature

LABEL 11-F, JANUARY 2014

PSN 7690-02-000-9998

2-CUSTOMER COPY

EXHIBIT

#9

CARDISS COLLINS STORE A

CHICAGO, Illinois

606999208

1615420804-0092

03/24/2014 (312)983-8182 11:44:15 AM

Sales Receipt

Product Description	Sale Unit Qty	Unit Price	Final Price
---------------------	---------------	------------	-------------

~~ SEATTLE WA 98109 Zone-7			\$19.99
----------------------------	--	--	---------

Priority Mail Express 1-Day

Flat Rate Env

2.80 oz.

USPS Tracking #:

EF079623764US

Scheduled Delivery Day: Tue

03/25/14 03:00PM - Money Back

Guarantee

Includes \$100 insurance

Signature Required

Return Rcpt (Green Card)

\$2.70

Issue PVI:

\$22.69

@@ ~~ OLYMPIA WA 98501

\$5.60

Zone-7

Priority Mail 2-Day

Flat Rate Env

2.90 oz.

Expected Delivery: Wed 03/26/14

Includes \$50 insurance

Return Rcpt (Green Card)

\$2.70

@@ Certified

\$3.30

USPS Certified Mail #:

70133020000059566562

Issue PVI:

\$11.60

Total:

\$34.29

Paid by:

VISA

\$34.29

Account #:

XXXXXXXXXXXX2289

Approval #:

092966

Transaction #:

49

23902950682



Departments

Fire & Kindle

Recommended for You

Today's Deals

Books

Advanced Search

New Releases

Best Sellers

The New York Times® Best Sellers

Children's Books

Textbooks

Textbook Rentals

Vagabond: "Natural" Hardcover

Be the first to review this item

See all formats and editions

Hardcover

Share

Currently unavailable.

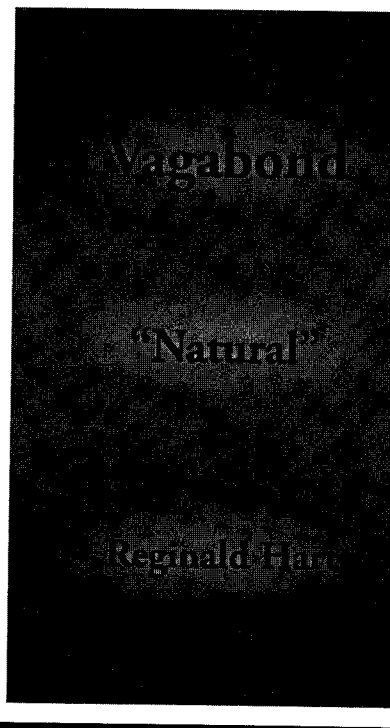
We don't know when or if this item will be back in stock.

Add to Wish List

Have one to sell?

Sell on Amazon

Images (1)



Also available on Kindle



Sponsored

Forging Zero (The Legend of ZERO, Book 1)

King, Sara

(812)

~~\$3.99~~ \$0.99

Ad feedback

See this image

Customers view

Vagabond

See a problem with these a

Product Details

Hardcover

Publisher: Henrietta

Language: English

ISBN-10: 09720275

ISBN-13: 978-09720

Average Customer

Amazon Best Sellers Rank: #748,959 in Books (See Top 100 in Books)

Would you like to update product info, give feedback on images, or tell us about a lower price?

red links (What's this?)

tripadvisor.com/

Tell the Publisher!

I'd like to read this book on Kindle

Don't have a Kindle? Get your Kindle here, or download a **FREE** Kindle Reading App.

Best Books of the Month

Want to know our Editors' picks for the best books of the month? Browse Best

Books of the Month, featuring our favorite new books in more than a dozen categories.

Customer Reviews

here are no customer reviews yet.

star

star

star

star

star

Share your thoughts with other customers

Write a customer review

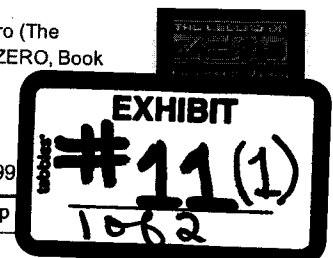
Available on Kindle

Forging Zero (The Legend of ZERO, Book 1)

King, Sara

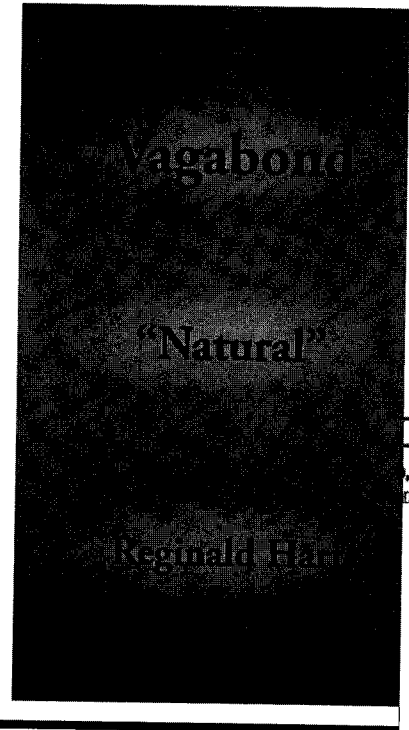
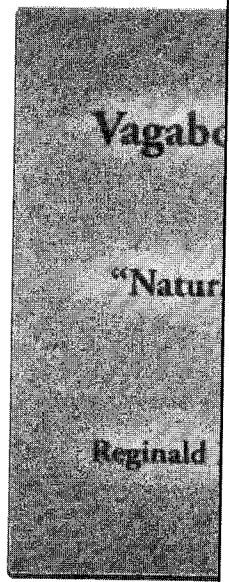
~~\$3.99~~ \$0.99

Shop



Ad feedback

Images (1)



Children's Books Textbooks Textbook Rentals

Share

1 New from \$19.95

See All Buying Options

Add to Wish List

Have one to sell?

Sell on Amazon

Also available on Kindle



Sponsored
Forging Zero (The Legend of ZERO, Book 1)
King, Sara
(806)
\$3.99

Ad feedback

Customers viewing this page may be interested in these sponsored links (What's this?)

- Pink Papaya Skincare - All-Natural Skincare, Professional Makeup, Treatments and More www.pinkpapayaparty.com/ladyjules
- Vagabond - Find Deals, Read Reviews from Real People. Get the Truth. Then Go. www.tripadvisor.com/

See a problem with these advertisements? Let us know

Product Details

Hardcover
Publisher: Henrietta Press
Language: English
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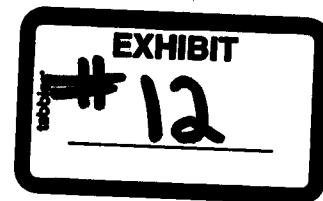
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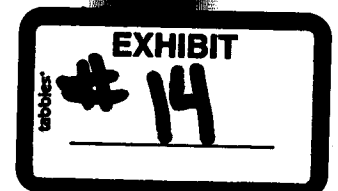
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**1
BEGINNINGS**

This story will be told in an abridged format.

To every heart of charity, I write. Every excellent spirit reading this text will affirm their social conscience to do good for their fellow citizens. With these words I, too, will fashion a sword to fight against Vagabondage and likewise help our countrymen out of the distress of homelessness. God bless us to live in love of each other and to abstain from hatred and judgment. Also, having no home of my own, I write that I might ease my own hurt, my own pain, both mentally and emotionally; so with hope of ease and rest I put to paper my life as a Vagabond.

In order to tell the story of Vagabond, allow me to start at the beginning. Born Reginald Laral Hart on April 25, 1969 to Gwendolyn Fraise and Sir Charles Hart I came from a dysfunctional family. Born and partly raised in New Orleans, Louisiana, in Charity Hospital, I can recall scenes from my childhood of my father drinking and abusing my mother both verbally and physically.



Vagabond "Natural"

in warfare against every design and artifice of the kingdom of darkness, where that fallen Ruler operates speciously in every carnal word.

Let the light of Your righteous Words increase in opposing vanity. Your Word will prevail as a consuming fire upon the dead spirit of Vagabond. For this Lord all the faithful hearts of Your kingdom will charge with You into victory. Amen.



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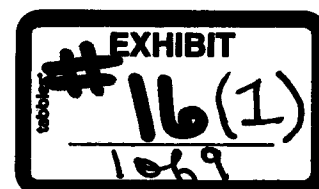
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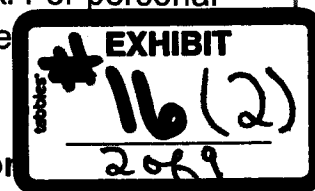
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<u>Title</u>	<ul style="list-style-type: none"> - Omit initial articles (A, An, The, El, La, Das): King and I - Type the entire title, or the first few words of the title, starting with the first word
<u>Name</u>	<ul style="list-style-type: none"> - For personal names, type last name first name: Hillerman Tony - For corporate names, type in order: Sony Music Entertainment; Walt Disney Company <p>For Claimant names, go to Other Search Options and select "Name: Claimant (KLCN)" from the <i>Search by</i> box. For personal names, type first name last name: James Michene names, type in order: Metro Goldwyn Mayer</p> <p>For Document names, go to Other Search Option</p>

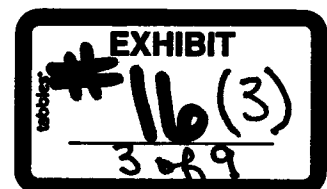


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 either "Docs: Party1 Statement (K291)" or "Docs: Party2 (K292)", or
 "Docs Party1/2 (KPTY)" from the *Search by* box. For personal
 names, type first name last name: Stephen King. For corporate
 names, type in order: Warner Brother Pictures

<u>Keyword</u>	<ul style="list-style-type: none"> - Searches word(s) anywhere in the record - Retrieves records with at least one of your search words - Use + before words that must appear in every record retrieved - Use ! before words that must not appear in any record retrieved - Use ? for truncation: photo? finds photograph, photographic, photographer - Use "" to surround exact phrases: "war of the worlds"
<u>Registration Number</u>	<ul style="list-style-type: none"> - Omit spaces and hyphens - Registration numbers must be 12 characters long. Type 2 letters followed by 10 digits, or 3 letters followed by 9 digits; add zeroes before the number: VAu-598-764 is typed VAU000598764, SR-320-918 is typed SR0000320918
<u>Document Number</u>	<ul style="list-style-type: none"> - Omit spaces and hyphens - The number after the "v" is always 4 digits; the number after the "p" or "d" is always 3 digits - V2606 P87 is typed V2606P087
<u>Command Keyword</u>	<ul style="list-style-type: none"> - Use index codes and Boolean operators - Use ? for truncation: photo? finds photograph, photographic, photographer - Use "" to surround exact phrases: "war of the worlds"

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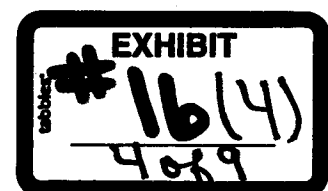
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Type of Work: Text**Registration Number / Date:** TXu001909041 / 2014-05-05**Application Title:** Vagabond "Natural" Travelin' Man.**Title:** Vagabond "Natural" Travelin' Man.**Description:** Book, 280 p.**Copyright Claimant:** Reginald Hart, 1969-. Address: POB 806551, Chicago, IL, 60680-4126, United States.**Date of Creation:** 2007**Authorship on Application:** Reginald Hart, 1969- ; Citizenship: United States. Authorship: text, editing, artwork.**Previous Registration:** 1991, TXu000488125.**Pre-existing Material:** text.**Basis of Claim:** text, editing, artwork.**Rights and Permissions:** Reginald Hart, Self, POB 806551, Chicago, IL, 60680, United States, (773) 972-1939, rhart24@yahoo.com**Copyright Note:** C.O. correspondence.**Names:** Hart, Reginald, 1969-**Save, Print and Email ([Help Page](#))**

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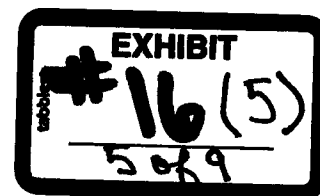
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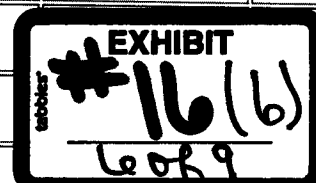
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#	Title <	Full Title	Copyright Number	Date
[1]	The vagabond.	<u>10,000 HZ legend / Air.</u>	SR0000298933	2001
[2]	VAGABOND.	<u>AMERICA MEET NEW YORK, et al.</u>	SRu001137114	2013
[3]	Vagabond.	<u>Armature; et al.</u>	SRu001184521	2014
[4]	Vagabond.	<u>Ausfunk, et al.</u>	SRu001161834	2014
[5]	Vagabond.	<u>Best side of goodbye / [performed by] Jane Olivor.</u>	SR0000016267	1980
[6]	Vagabond --	<u>Blessed be (fallen angels) By Debbie Spitz.</u>	PAu002004448	1989
[7]	Vagabond.	<u>Bond, et al.</u>	SRu000928897	2010
[8]	The vagabond.	<u>Box cars : a.k.a. The vagabond.</u>	SR0000339765	1995
[9]	The Vagabond	<u>Box cars : a.k.a. The Vagabond.</u>	PAu001355488	1990
[10]	Vagabond.	<u>Box cars / For The Vagabond.</u>	V2503P314	1989
[11]	Vagabond.	<u>Camp Clovenhoof.</u>	SRu000574573	2004
[12]	Vagabond --	<u>Carousel man / all words and music by Mark Gaddis ; [performed by] Mark Gaddis.</u>	SR0000000941	1976
[13]	VAGABOND.	<u>Caught Up, et al.</u>	SRu001072144	2012
[14]	Vagabond.	<u>David Luning: Song Collection 1.</u>	SRu001067814	2010
[15]	Vagabond.	<u>Dear Stephanie, et al.</u>	PAu003397273	2009
[16]	Vagabond.	<u>Dragon Dance, et al.</u>	SRu001171783	2014
[17]	Vagabond.	<u>Drop Head - Signs of Psychopathy.</u>	SRu001183962	2014
[18]	Vagabond	<u>Fireman : The vagabond; One AM. Add. ti.: Charlie Chaplin vol. 7A.</u>		
[19]	Vagabond	<u>Fly.</u>		
	Vagabond.	<u>Found My Way Audio, et al.</u>		



[20]				
[21]	Vagabond.	<u>Funk Reign.</u>	SRu001089048	2012
[22]	Vagabond.	<u>Happy Hour.</u>	SR0000743338	2009
[23]	Vagabond	<u>Hard times.</u>	PAu003093951	2006
[24]	Vagabond.	<u>Holy. et al.</u>	PAu003688189	2013
[25]	Vagabond --	<u>Home of the heart: a collection of unpub. songs (words & music) By Dieter Rodenberg.</u>	PAu001033708	1987

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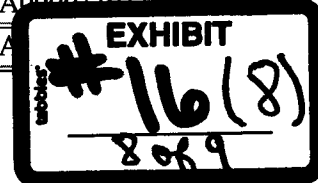
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 [1]	Natural --	<u>3 years, 5 months and 2 days in the life of / Arrested Development.</u>	SR0000143502	1982
 [2]	Natural --	<u>7/S Club 7.</u>	SR0000302580	2000
 [3]	Natural --	<u>7/S Club 7.</u>	SR0000236909	2000
 [4]	Natural --	<u>A new beginning: et al.</u>	SRu000930423	2010
 [5]	The natural	<u>Ain't talkin' bout nothin'.</u>	PA0001150142	2002
 [6]	Natural.	<u>Alma.</u>	PA0000717922	1994
 [7]	Natural.	<u>Amame de nuevo.</u>	PA0000881030	1997
 [8]	Natural.	<u>Amor egoista / Jose Ma Valencia V.</u>	PAu002828513	2003
 [9]	Natural.	<u>Animate. et al.</u>	PAu003688354	2013
 [10]	Natural --	<u>Are We Natural?, et al.</u>	PAu003495175	2010
 [11]	Natural.	<u>Asilo de amor.</u>	PA0000747415	1994
 [12]	The natural	<u>Bangin'.</u>	PA0001150135	2002
 [13]	The natural.	<u>Baywatch : no. 9010. The natural.</u>	PA0000998309	1998
 [14]	Natural.	<u>Benevolence.</u>	SR0000689486	2011
 [15]	Natural.	<u>Blackyard.</u>	PAu002124835	1996
 [16]	Natural --	<u>Blaze Fia.</u>	SR0000681930	2011
 [17]	natural.	<u>Butterflies in the sky.</u>	SRu001190477	2014
 [18]	Natural --	<u>C. Bowman Collection.</u>	PAu003551582	2011
 [19]	El Natural.	<u>Casimiro / Kinito Mendez.</u>	PA0000330339	1987
 [20]	El Natural.	<u>Catalina / Kinito Mendez.</u>	PA0000330337	1987
 [21]	Natural --	<u>Celestial. et al.</u>	PAu003570355	2011
 [22]	Natural.	<u>Clavame tu amor.</u>	PA0001131407	2003
 [23]	Natural.	<u>Como aquella vez.</u>	PA0001127035	2002
 [24]	El Natural.	<u>Condiciones / arr. Pedro Rymer.</u>	PA0000330336	1987
 [25]	Natural.	<u>Control : Radio star : Daisy field : Last raindrops / M. Andoh.</u>	PA	

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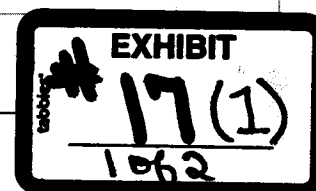
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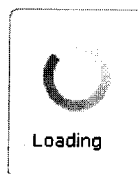
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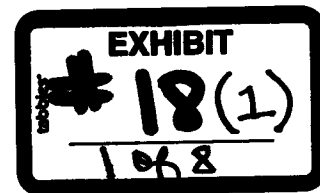
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"I declare, under penalty of perjury, that the information contained in this notification is correct and accurate and that I am the owner or agent of the owner of the rights described above."

☒ I have read and accept the statements above.

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- Buyers may use [this form](#) to report problems with orders, seller policy violations, etc.

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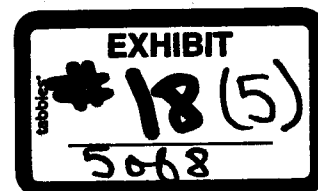
Other sellers can list their items for sale against pages that you have created or added your copyrighted images to. However, we do require sellers to list only against detail pages that exactly match their items. If you believe sellers are listing against detail pages that do not exactly match their items, we ask that you report the violation [here](#).

If your copyrighted image has been added to our catalog without your consent, please complete the form below.

Exclusive or Selective Distribution: Amazon respects a manufacturer's right to enter into exclusive distribution agreements for its products. However, violations of such agreements do not constitute intellectual property rights infringement. As the enforcement of these agreements is a matter between the manufacturer and the retailers, it would not be appropriate for Amazon to assist in enforcement activities.

Allegation of Infringement

*Are you the Rights Owner or an Agent?



☒ Rights Owner ☐ Agent

*The primary complaint pertains to

copyright concerns

*The specific concern is

The item for sale is an unlawful reproduction

*Name of Brand

Vagabond Natural

*Additional Information

Dear Amazon: You are committing infringement of my copyrights: Vagabond Natural & Vagabond Spiritual. These books have never been published to the public at large. How did you get them? I have previously asked you to remove my books from your website via certified mail. I will see you in Court!

*The ASIN (Amazon Standard Identification Number) or the URL of each product you are reporting. You can report up to 50 products for the same specific concern in 1 form. If you have different concerns to report, please submit 1 form for each concern.

ASIN/ISBN-10

OR Product URL

0972027521



Your Contact Details

This is the contact **Amazon** will use.

*Are you a seller on Amazon?

☒ Yes ☐ No

*First Name

Reginald

*Last Name

Hart

Company

Henrietta Press

*Address Line 1

P. O. Box 806551

Address Line 2

*City

Chicago

State

Illinois

*ZIP Code

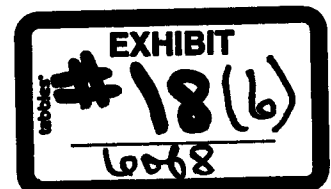
60680

*Country

United States

*Phone Number

773-972-1939



***E-mail Address**

rhart24@um.att.com

***Confirm E-mail Address**

rhart24@um.att.com

Secondary Contact Details

The contact details which we will provide to **Third Party Sellers** (if relevant) for queries regarding this notification.

☒ Use the contact details provided above

***Name**

Reginald Hart

***E-mail Address**

rhart24@um.att.com

Statements

"I have a good faith belief that the content(s) described above violate(s) my rights described above or those held by the rights owner, and that the use of such content(s) is contrary to law."

"I declare, under penalty of perjury, that the information contained in this notification is correct and accurate and that I am the owner or agent of the owner of the rights described above."

☒ I have read and accept the statements above.

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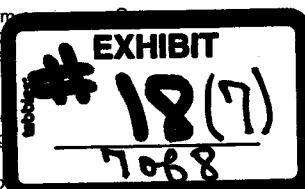
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Participation Agreement

Welcome to the Amazon.com site (the "Site") and our selling services (the "Services"). Any person who wants to access the Site and use the Services to sell items must accept the terms and conditions of this Participation Agreement without change. BY REGISTERING FOR AND USING THE SERVICES, YOU AGREE TO BE BOUND BY ALL TERMS AND CONDITIONS OF THIS PARTICIPATION AGREEMENT, AND ALL POLICIES AND GUIDELINES OF THE SITE ARE INCORPORATED BY REFERENCE.

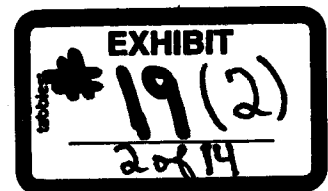
Amazon Services LLC ("Amazon," "we," "us," and "our") reserves the right to change any of the terms and conditions contained in this Participation Agreement or any policies or guidelines governing the Site or Services, at any time and in its sole discretion. Any changes will be effective upon posting of the revisions on the Site. All notice of changes to this Participation Agreement will be posted on the Site for thirty (30) days. You are responsible for reviewing the notice and any applicable changes. Changes to referenced policies and guidelines may be posted without notice to you. YOUR CONTINUED USE OF THIS SITE AND THE SERVICES FOLLOWING AMAZON'S POSTING OF ANY CHANGES WILL CONSTITUTE YOUR ACCEPTANCE OF SUCH CHANGES OR MODIFICATIONS. IF YOU DO NOT AGREE TO ANY CHANGES TO THIS PARTICIPATION AGREEMENT, DO NOT CONTINUE TO USE THE SERVICES OR THIS SITE.

1. Eligibility. Use of the Site and Services is limited to parties that lawfully can enter into and form contracts under applicable law. For example, minors are not allowed to use the Services. To register, you must provide your real name, address, phone number, e-mail address, and valid credit card information. You represent and warrant that: (a) if you are a business, you are duly organized, validly existing and in good standing under the laws of the country in which your business is registered and that you are registering for the Services within such country; (b) you have all requisite right, power and authority to enter into this Participation Agreement and perform your obligations hereunder; and (c) any information provided or made available by you or your affiliates to Amazon or its affiliates is at all times accurate and complete.

2. Sellers' Listing Fees and Payment Terms. Please review the Fee Schedule and Payment Terms contained in the Help section for the Services. All listing fees are in U.S. dollars unless stated otherwise and are incorporated herein by reference. The Fee Schedule and Payment Terms may vary in the future. The Fee Schedule and Payment Terms in effect on the date of sale of the item shall govern the transaction. You should check the fees and terms each time you participate. All fees, including but not limited to subscription plan fees, are payable upon demand on a Visa, MasterCard, American Express, Discover, JCB, or Diners Club credit card.



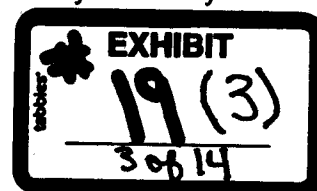
3. Applicable Policies and Guidelines. You agree to abide by the procedures and guidelines--contained in the Help section--for conducting fixed price sales, which are incorporated by reference into, and made part of, this Participation Agreement. The procedures and guidelines contained in the Help section explain the processes and set out acceptable conduct and prohibited practices. We may change these procedures and guidelines in the future, and such changes will be effective immediately upon posting without notice to you. You should refer regularly to the Help section to understand the current procedures and guidelines for participating and to be sure that the items you offer for sale can be sold on the Site. For each item you list on the Site, you will provide to us the state or country from which the item ships. You will provide to us (using the processes and timing that we designate) any requested information regarding shipment, tracking (to the extent available) and order status, and we may make any of this information publicly available. **You will not send customers emails concerning shipping confirmation of products you sell (except that to the extent we have not yet enabled functionality for your account that allows payment to be processed on the basis of when shipment occurs, then you will send customers emails confirming shipment of products you sell in a format and manner reasonably acceptable to us).** Promptly after shipment of a customer's order (or any portion of the customer's order), you will accurately inform us that the order has been shipped (and, in the case of a customer order that is shipped in more than one shipment, accurately inform us which portion of the order has been shipped), using our standard functionality for communicating such information when we make that functionality available to you ("Confirmation of Shipment"). If you fail to provide Confirmation of Shipment within the time frame specified by us (e.g., 30 days after the date an order was placed), we may in our sole discretion cancel (and/or direct you to stop and/or cancel) any such transaction, and you will stop and/or cancel any such transaction upon such request by us. You will comply with any instructions from the manufacturer, distributor and/or licensor of a product regarding Street Date for Delivery (which means the date, if any, specified by the manufacturer, distributor and/or licensor of a product as the date before which such product should not be delivered or otherwise made available to customers) or the Street Date for Disclosure (which means the date, if any, specified by the manufacturer, distributor and/or licensor of a product as the date before which specified information regarding such product (e.g., title of a book) should not be disclosed publicly).



4. Amazon's Role. Amazon provides a platform for third-party sellers ("Sellers") and buyers ("Buyers") to negotiate and complete transactions. Amazon is not involved in the actual transaction between Sellers and Buyers, **except as set out in Section 5. As a Seller, you may list any item on the Site unless it is a prohibited item as defined in the procedures and guidelines contained in the Help section, or otherwise prohibited by law. Without limitation, you may not list any item or link or post any related material that (a) infringes any third-party intellectual property rights (including copyright, trademark, patent, and trade secrets) or other proprietary rights (including rights of publicity or privacy); (b) constitutes libel or slander or is otherwise defamatory; or (c) is counterfeited, illegal, stolen, or fraudulent. It is up to the Seller to accurately describe the item for sale. As a Seller, you use the Site and the Services at your own risk.**

5. The Transaction Processing Service. By registering for or using the Services, you authorize Amazon Payments, Inc. ("Amazon Payments") to act as your agent for purposes of processing payments, refunds and adjustments for Your Transactions (as defined below), receiving and holding Sales Proceeds (as defined below) on your behalf, remitting Sales Proceeds to your bank account, charging your credit card, and paying Amazon and its affiliates amounts you owe in accordance with this Participation Agreement or other agreements you may have with Amazon or its affiliates (collectively, the "Transaction Processing Service"). "Sales Proceeds" means the gross proceeds from any of Your Transactions, including all shipping and handling, gift wrap and other charges, but excluding any taxes separately stated and charged. "Your Transaction" means any sale of your items through the Site. As used in this Section 5, "we," "us" and "our" mean Amazon Payments. Notwithstanding anything to the contrary in this Participation Agreement, **Amazon may in its discretion perform the Transaction Processing Services described in this Section 5.**

a. The Transaction Processing Service facilitates the purchase of Seller items listed on the Site. Sales Proceeds are credited to a registered Seller's Payment Account (as defined in Section 5.I. below), and funds are periodically transferred to the Seller's designated bank account ("Seller's Account"). Alternatively, eligible Sellers may opt to purchase an Amazon.com gift certificate with funds from Sales Proceeds to the extent that Amazon offers such an option. When a Buyer instructs us to pay you, you agree that the Buyer authorizes and orders us to commit the Buyer's payment to you (less any applicable fees or other amounts we may collect under this Participation Agreement). You agree that Buyers satisfy their obligations to you for Your Transactions when we receive the Sales Proceeds. Our obligation to remit funds received by us on your behalf is limited to funds that we have actually received less amounts owed to Amazon, subject to chargeback or reversal or withheld for anticipated claims in accordance with this Participation Agreement. The Transaction Processing Service helps facilitate Your Transactions and neither we nor our affiliates are the purchaser of the Seller's goods. Seller will resolve any dispute directly with Buyer



or with the assistance of the Amazon.com A-to-z Guarantee and not through the Transaction Processing Service. You must provide us true and accurate information when registering and must maintain and update that information as applicable. We may at any time require you to provide any financial, business or personal information we request to verify your identity. Seller will not impersonate any person or use a name he or she is not legally authorized to use. Seller authorizes us to verify his or her information (including any updated information), to obtain credit reports about Seller in order to approve Seller for use of the Transaction Processing Service and also from time to time while Seller is registered with the Transaction Processing Service (including credit reports about Seller's spouse if Seller lives in a community property state), and to obtain an initial credit authorization from Seller's credit card issuer at time of registration. The Amazon Payments Privacy Notice applies to your use of the Transaction Processing Service.

b. Sales Proceeds can be credited only to bank accounts in the United States or any other country shown as supported by our standard functionality and enabled for your account (which functionality may be modified or discontinued by us at any time without notice), or used to purchase Amazon.com gift certificates (to the extent permitted by Amazon), which purchases are subject to Amazon's Terms and Conditions for Gift Certificates. Sellers may also use the bank account provided to Amazon for the Transaction Processing Service when making retail purchases on the Amazon.com web site, subject to Amazon's Terms and Conditions for Payments from a Bank Account. Sellers waive any rights with respect to the Transaction Processing Service when shipping to an address other than that provided by the Transaction Processing Service.

c. The Transaction Processing Service is generally available seven (7) days per week, twenty-four (24) hours per day, except for scheduled downtime due to system maintenance. We can initiate credits to Seller's Account only on a Business Day when the automated clearinghouses are open for business. For purposes of this Participation Agreement, a "Business Day" is a Monday through Friday, excluding federal banking holidays. We will inform you of each completed transaction using our standard procedures. In addition, you can access your Transaction Processing Service transaction information online in your Payment Account.

d. You may provide refunds or adjustments to Buyers for Your Transactions through the Transaction Processing Service using functionality enabled for your account. This functionality may be modified or discontinued by us at any time without notice and is subject to the limitations in the Help section and the terms of this Participation Agreement. You may not create invoices for Your Transactions.



e. All balances for a given 14-day period will be reflected in the Payment Account summary. We will initiate a credit to Seller's Account on a rolling 14-day cycle ("Payment Date") based on the original date of Seller's registration with the Service or on the next Business Day if the scheduled Payment Date falls on a non-Business Day. If Seller requests a change to the scheduled Payment Date, the 14-day cycle will be reset to the requested Payment Date. When you either initially provide or later change your bank account information, you must wait 7 days to either (1) request a transfer to Seller's Account or (2) purchase an Amazon.com gift certificate within the 14-day cycle. After 7 days, you may either request transfers to Seller's Account or purchase an Amazon.com gift certificate (if available) at any time within the 7-day cycle via the Payment Account summary page. We will initiate a transfer to Seller's Account on each Payment Date and, based on your preferences, either (1) initiate a transfer to Seller's Account or (2) initiate your purchase of an Amazon.com gift certificate (if available), in either case for the total amount of Sales Proceeds you received from Buyers' authorized payment, **less any fees or other amounts we may collect under this Participation Agreement**, any refunds, adjustments, or other amounts paid to Buyers in connection with Your Transactions, or for funds you otherwise received since the last Payment Date. The amount of the fees for the Services will be posted to Seller's Payment Account and will be deducted from the balance of credits in the Seller's Payment Account to be remitted to you on the next Payment Date. Without limiting Amazon or Amazon Payments' rights to collect any amounts you owe, including as described in Section 5.j. of this Participation Agreement, Amazon Payments' receipt of Sales Proceeds discharges your obligation to pay applicable fees and other amounts under this Participation Agreement to the extent the Sales Proceeds equal or exceed the fees and other amounts you owe and the Sales Proceeds are applied to the payment of those fees and amounts. When a Seller purchases an Amazon.com gift certificate (if available), funds for Sales Proceeds will be posted to the balance in the Seller's gift certificate account on the Site (the "GC Account").

f. Transfers to the Seller's Account will generally be credited within five Business Days of the date we initiate the transfer. On occasion, we may send Seller a paper check instead of an electronic credit to Seller's Account. We will do so, for instance, if Seller's bank will not accept an electronic credit to Seller's Account.

g. As a security measure, we or our affiliates may, but are not required to, impose transaction limits on some or all Buyers and Sellers relating to the value of any transaction, disbursement, or adjustment, the cumulative value of all transactions, disbursements, or adjustments during a period of time, or the number of transactions per day or other period of time. Neither we nor our affiliates will be liable to Seller: (i) if we do not proceed with a transaction, disbursement, or adjustment that would exceed any limit established by us or our affiliates for a security reason, or (ii) if we or our affiliates permit a Buyer to



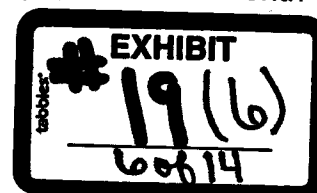
withdraw from a transaction because the Transaction Processing Service is unavailable following the commencement of a transaction.

h. If we or our affiliates reasonably conclude based on information available to us or our affiliates that Seller's actions and/or performance in connection with the Services may result in Buyer disputes, charge backs or other claims, then we may, in our sole discretion, delay initiating any remittances and withhold any payments to be made or that are otherwise due to you in connection with the Services or this Participation Agreement until the completion of any investigation(s) regarding any Seller actions and/or performance in connection with this Participation Agreement. We will not be liable to Seller if we act in accordance with the provisions of this Section.

i. All notices will be sent by e-mail or will be posted on the Site or by any other means then specified by us or Amazon. We will send notices to Seller at the e-mail address maintained in our or Amazon's records for Seller. Seller will monitor his or her e-mail messages frequently to ensure awareness of any notices sent by us or Amazon. Seller will send notices to us using the functionality for contacting Amazon provided in our Help pages.

j. We may refuse service to anyone for any reason. We will bear the risk of credit card fraud (i.e., fraudulent purchase arising from the theft and unauthorized use of a third party's credit card information) occurring in connection with Your Transactions, and Seller will bear all other risk of fraud or loss; provided, that we will not bear the risk of credit card fraud in connection with any of Seller's products (except those products, if any, that are fulfilled using the Fulfillment by Amazon service) that are not fulfilled strictly in accordance with the order information and shipping information that Amazon provides you. Amazon reserves the right to seek reimbursement from Seller if Amazon, in its sole discretion, decide to reimburse Buyer under the terms of the Amazon.com A-to-Z Guarantee, provide a refund to Buyer if Seller cannot promptly deliver the goods, discover erroneous or duplicate transactions, or receive a chargeback from Buyer's credit card issuer for the amount of Buyer's purchase from Seller. We may obtain reimbursement of any amounts owed by Seller to Amazon or us by deducting from future payments owed to Seller, reversing any credits to Seller's Account, charging against gift certificates held in Seller's GC Account (if any) that were purchased with Sales Proceeds, charging Seller's credit card, or seeking such reimbursement from Seller by any other lawful means. You authorize us to use any or all of the foregoing methods to seek reimbursement, including the debiting of your credit card or bank account.

k. We reserve the right, upon termination of this Participation Agreement or Seller's use of the Services, to set off against any payments to be made to Seller, an amount determined by us to be adequate to cover charge backs, refunds, adjustments or other amounts paid to Buyers in connection with Your Transactions from Seller's Account or GC Account for a prospective three-month

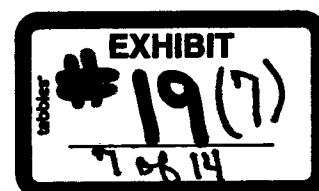


period. At the end of such three-month period following termination, we will disburse to Seller any amount not used to offset chargebacks, refunds, adjustments, or such other amounts paid to Buyers, or seek reimbursement from Seller via any of the means authorized in Section 5. j. above for any additional amount required to offset chargebacks, refunds, adjustments, or other amounts paid to Buyers, as applicable.

I. Sales Proceeds will be held in an account with Amazon Payments (a "Payment Account") and will represent an unsecured claim against Amazon Payments. Sales Proceeds are not insured by the Federal Deposit Insurance Corporation. Prior to disbursing funds to you, Amazon Payments may combine Sales Proceeds held with the funds of other users of the Services, invest them, or use them for other purposes permitted by applicable laws. You will not receive interest or any other earnings on any Sales Proceeds. To the extent required by applicable laws, Amazon Payments will not use any funds held on your behalf for its corporate purposes, will not voluntarily make such funds available to its creditors in the event of bankruptcy or for any other purpose, and will not knowingly permit its creditors to attach such funds.

m. If there is no activity (as determined by us) in connection with your Payment Account for the period of time set forth in applicable unclaimed property laws and we hold Sales Proceeds on your behalf, we will notify you by means designated by us and provide you the option of keeping your Payment Account open and maintaining the funds in your Payment Account. If you do not respond to our notice(s) within the time period we specify, we will send the funds in your Payment Account to your state of residency, as determined by us based on the information in your Payment Account. If we are unable to determine your state of residency or your Payment Account is associated with a foreign country, your funds may be sent to the State of Delaware.

6. Amazon Reservation of Rights. Amazon retains the right to determine the content, appearance, design, functionality and all other aspects of the Site and the Services (including the right to re-design, modify, remove and alter the content, appearance, design, functionality, and other aspects of the Site and the Service and any element, aspect, portion or feature thereof, from time to time), and to delay or suspend listing of, or to refuse to list, or to de-list, or to require Seller not to list, any or all products in our sole discretion. We may in our sole discretion withhold for investigation, refuse to process, restrict shipping destinations for, stop and/or cancel any of Your Transactions. You will stop and/or cancel orders of your products if we ask you to do so (provided that if you have transferred your products to the applicable carrier or shipper, you will use commercially reasonable efforts to stop and/or cancel delivery by such carrier or shipper). You will refund any customer (in accordance with this Participation Agreement) that has been charged for an order that we stop or cancel.



7. Amazon Participation. Employees of Amazon and its affiliates are permitted to participate in their personal capacity (i.e., not as Amazon employees, representatives, or agents of Amazon or its affiliates) in the transactions conducted through this Site (unless they have confidential information about a particular item). Employees of Amazon and its affiliates, when participating in any transaction in their personal capacity, are subject to this Participation Agreement and the same procedures and guidelines contained in the Help section as any Buyer or Seller on this Site.

8. Your Transactions

a. For sales where a Seller lists goods at a fixed price ("fixed price sales"), the Seller is obligated to sell the goods at the listed price to Buyers who meet the Seller's terms. By listing an item in a fixed price sale, you represent and warrant to prospective Buyers that you have the right and ability to sell, and that the listing is accurate, current, and complete and is not misleading or otherwise deceptive.

b. For fixed price sales, Seller will determine the purchase price for each item he or she lists on the Site via and subject to Amazon.Com's standard functionality for listing the purchase price, provided that Seller must abide by the same procedures and guidelines contained in the Help section with respect to pricing.

9. Your Obligation. By entering into this Participation Agreement and posting a listing for fixed price sale, you agree to complete the transaction as described by this Participation Agreement. You acknowledge that by not fulfilling these obligations, your action or inaction may be legally actionable.

10. Seller Taxes. You agree that it is the Seller's responsibility to determine whether Seller Taxes apply to the transactions and to collect, report, and remit the correct Seller Taxes to the appropriate tax authority, and that Amazon is not obligated to determine whether Seller Taxes apply and is not responsible to collect, report, or remit any sales, use, or similar taxes arising from any transaction, except to the extent Amazon Payments expressly agrees to receive taxes or other transaction-based charges in connection with tax calculation services made available by Amazon and used by Seller. "Seller Taxes" means any and all sales, goods and services, use, excise, import, export, value added, consumption and other taxes and duties assessed, incurred or required to be collected or paid for any reason in connection with any advertisement, offer or sale of products by you on or through the Site, or otherwise in connection with any action, inaction or omission of you or any of affiliate of yours, or any of your or their respective employees, agents, contractors or representatives.

11. Returns and Refunds. Subject to Section 5.d., for all of your products that are not fulfilled using the Fulfillment by Amazon service, you will accept and process returns, refunds and adjustments in accordance with this Participation Agreement and the Amazon return policies published on the Site at the time of the applicable order, and we may inform customers that these policies apply to



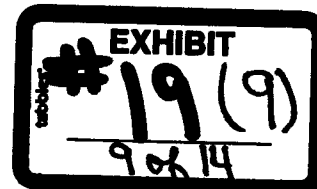
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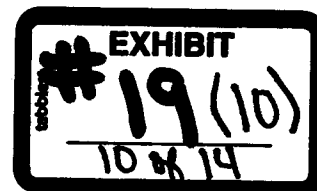
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b. No Agency; Third-Party Beneficiary. Subject to the first paragraph of Section 5, you and each of Amazon and Amazon Payments are independent contractors and nothing in this Participation Agreement will create any partnership, joint venture, agency, franchise, sales representative, or employment relationship between us. Nothing expressed or mentioned in or implied from this Participation Agreement is intended or shall be construed to give to any person other than the parties hereto any legal or equitable right, remedy, or claim under or in respect to this Participation Agreement. This Participation Agreement and all of the representations, warranties, covenants, conditions, and provisions hereof are intended to be and are for the sole and exclusive benefit of Amazon, Amazon Payments, you, and relying Buyers or Sellers.

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Video, DVD, & Blu-ray

As part of our ongoing efforts to provide a great shopping experience, beginning September 15, 2014, sellers who have not sold any items in the Video, DVD, & Blu-ray category between September 6, 2013 and September 15, 2014 will be required to apply to sell in the category.

Additionally, sellers who have sold one or more items in the category between September 6, 2013 and September 15, 2014 will be required to apply to sell DVDs with Manufacturer's Suggested Retail Prices (MSRP) of \$25 or greater. All sellers in this group may continue to list DVDs with MSRPs below \$25 and Blu-rays at any MSRP without further action.

We are implementing this restriction because these products may have a higher risk of authenticity issues.

Additional information on the application process is listed below.

Application Process Overview

Please read the application requirements below. Once you have reviewed the category requirements, you may begin an application by clicking the Request Approval button at the bottom of the page.

Seller Minimum Requirements

Only sellers who meet the following criteria are eligible to apply:

- If you do not have a Professional seller account, you must agree to upgrade to a Professional selling plan within 30 days after your application is approved
- Order-Defect Rate (ODR) of 1% or less
- Cancellation Rate of 2.5% or less
- Late Shipment Rate of 4% or less

Your current metrics are available in the Performance section of your seller account.

If your account does not meet the minimum criteria, your application will be rejected. Please take corrective action and ensure your performance metrics meet the minimum criteria before completing the application.

Required Information Seller Must Provide in Application Process

Please note that you will need to provide the following information as part of the application process:

- Your primary source(s) of inventory
- An estimate of the quantity of units you plan to sell
- A minimum of 3 invoices or purchase orders from your largest inventory source

Your application will be evaluated based on the information you supply.

Next Step

If you wish to apply and your account meets the minimum criteria listed above, please click the Request Approval button below.



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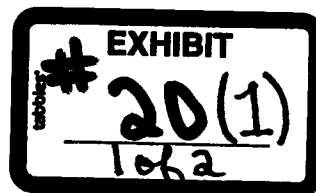
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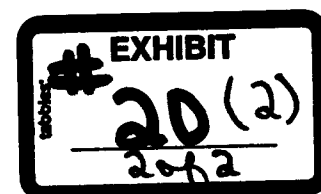
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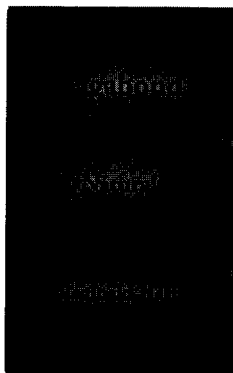
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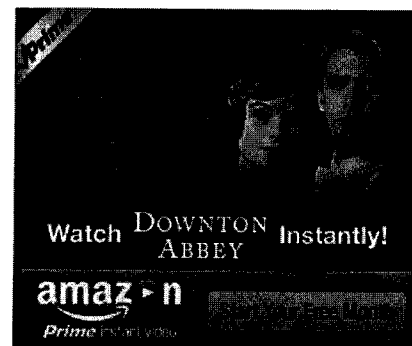
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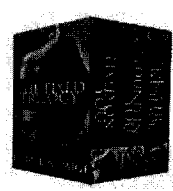



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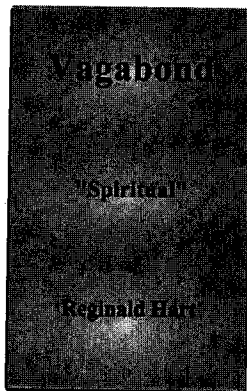
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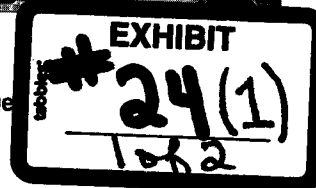
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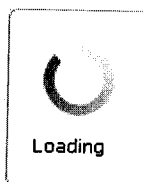
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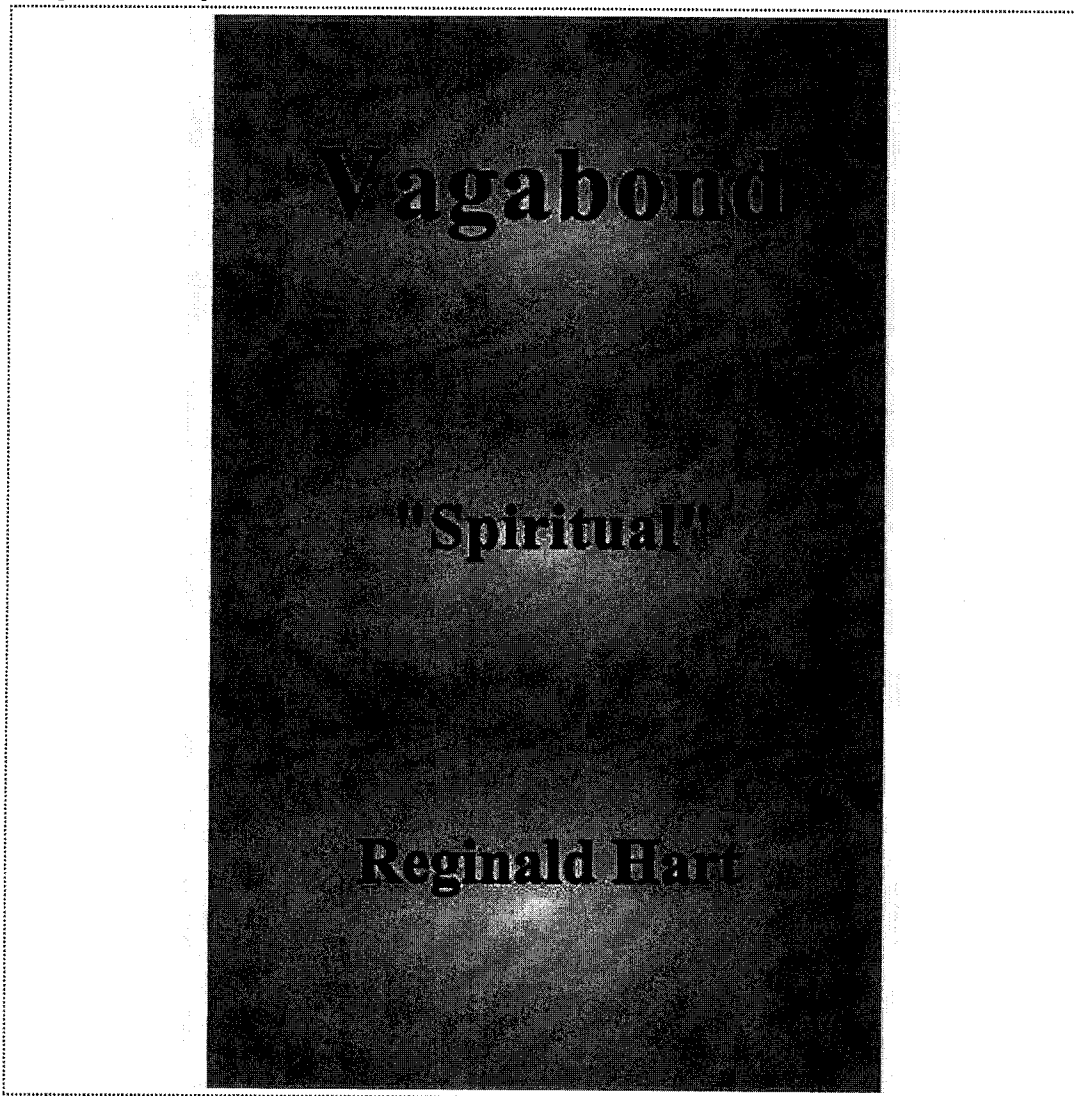
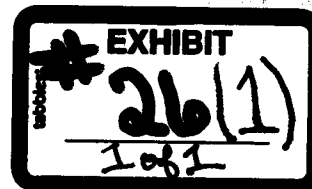
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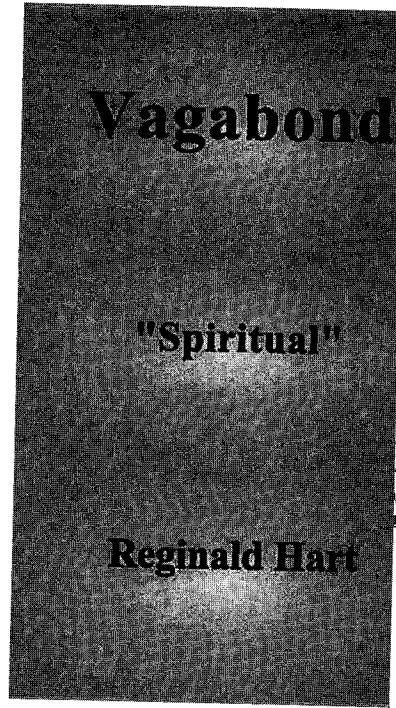
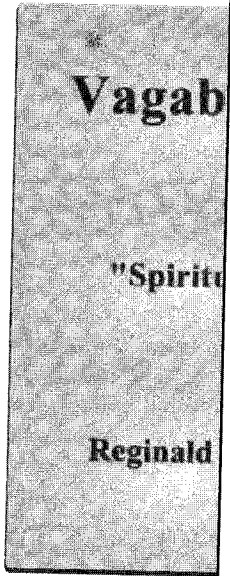
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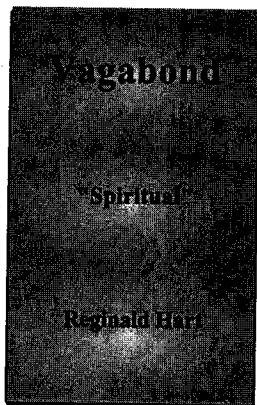
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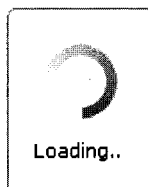
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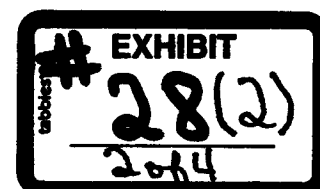
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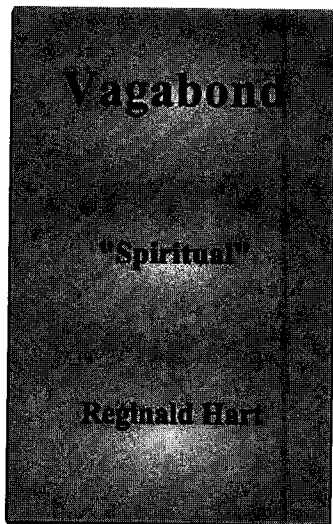
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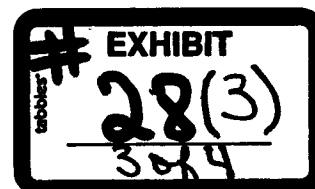
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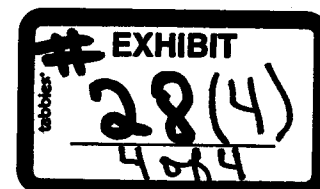
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Vagabond

"Spiritual"

Reginald Hart



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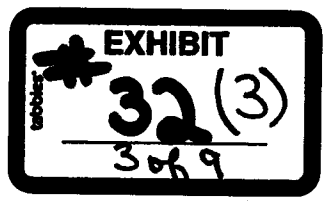
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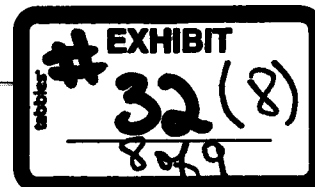
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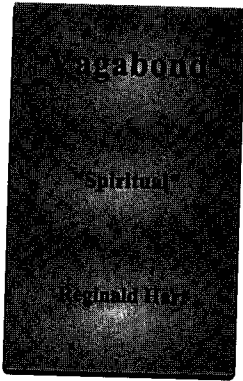
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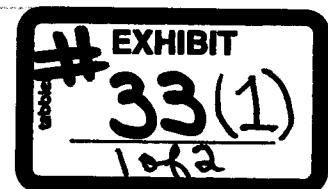
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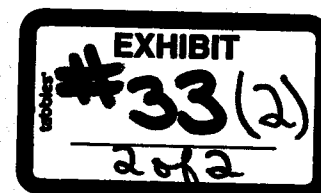
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Vagabond

“Natural”

Reginald Hart

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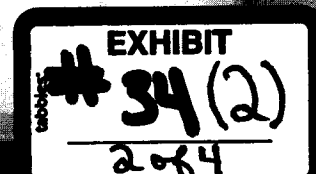
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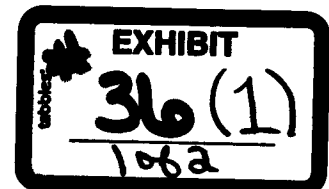
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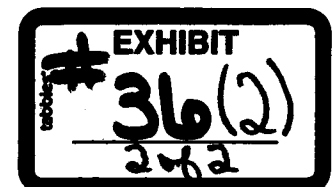
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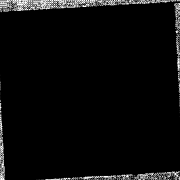



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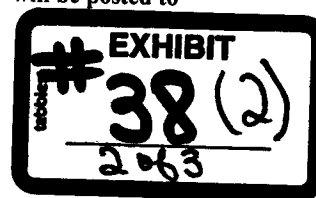


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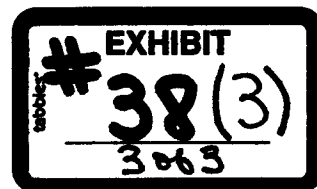
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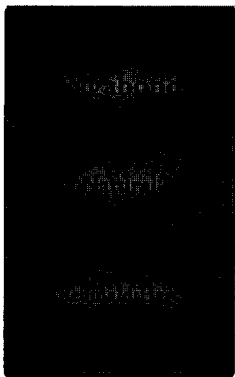
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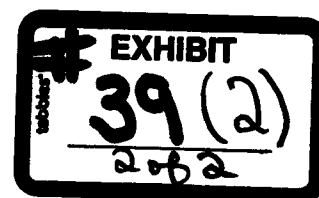
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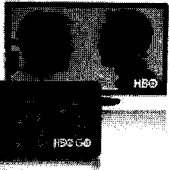
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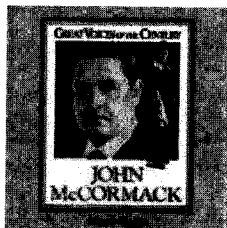
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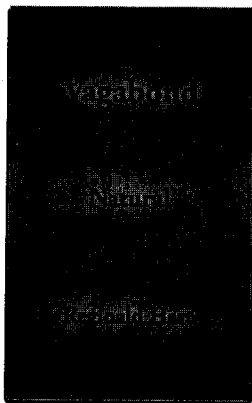
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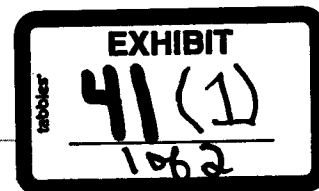
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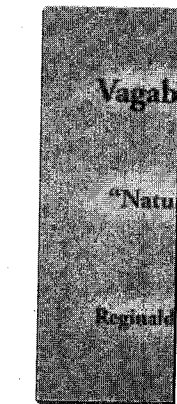
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ISBN-13: 978-0972027526

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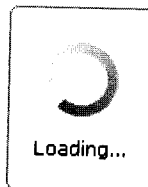
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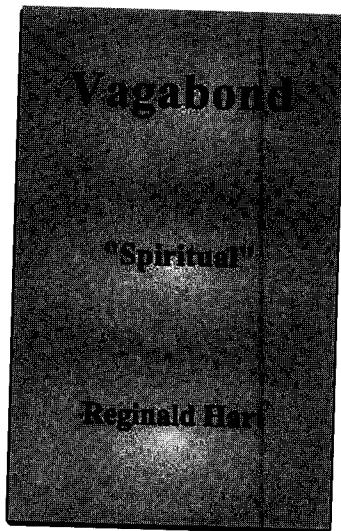
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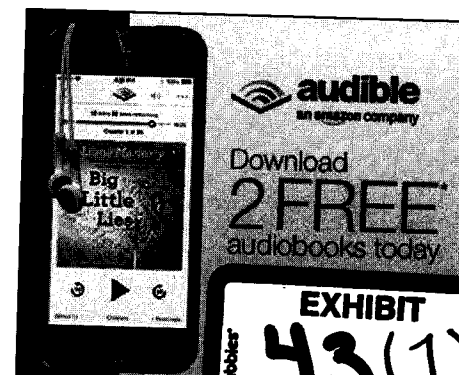
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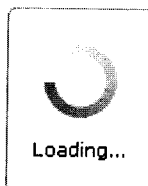
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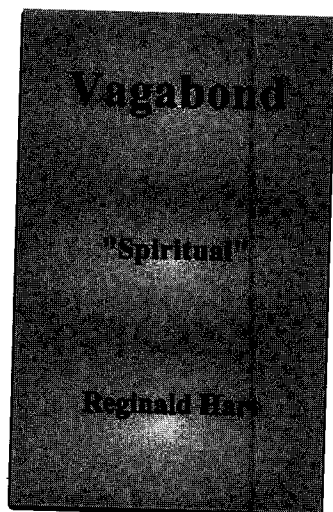
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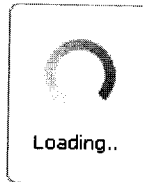
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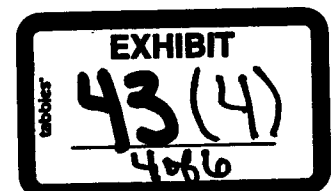
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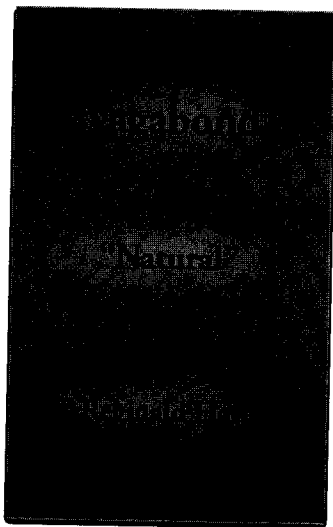
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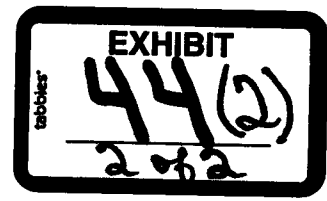
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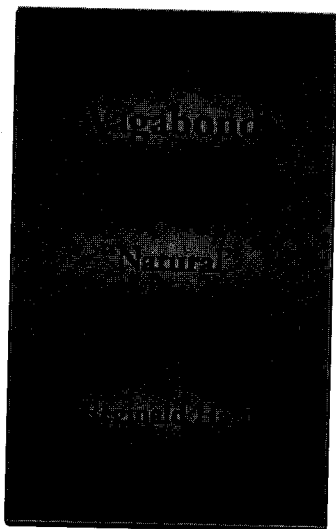
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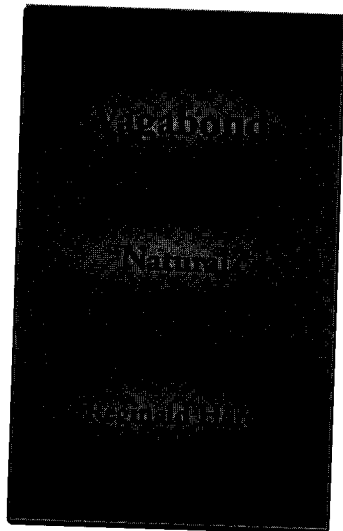
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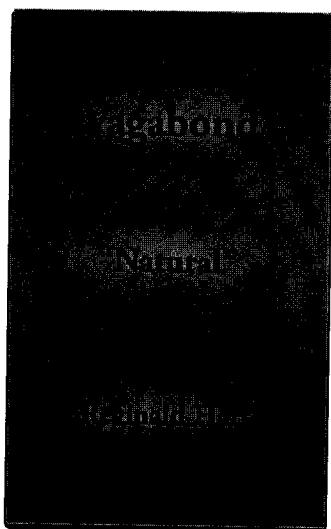
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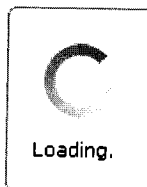
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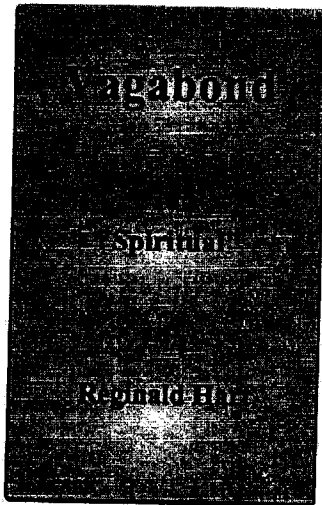


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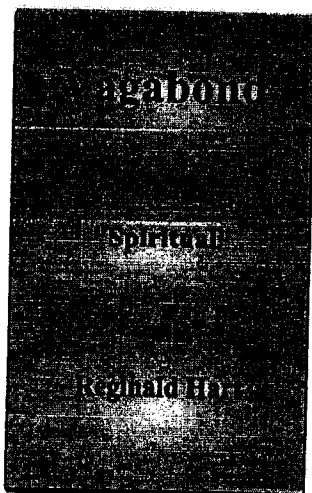


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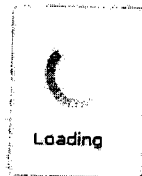
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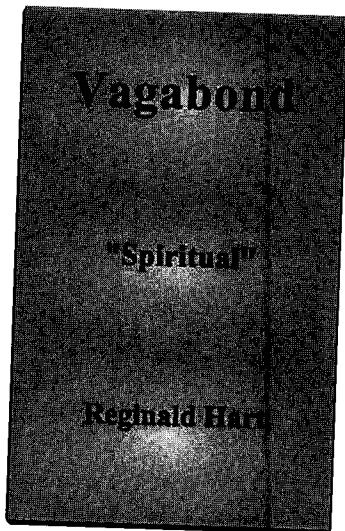
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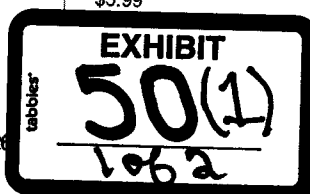
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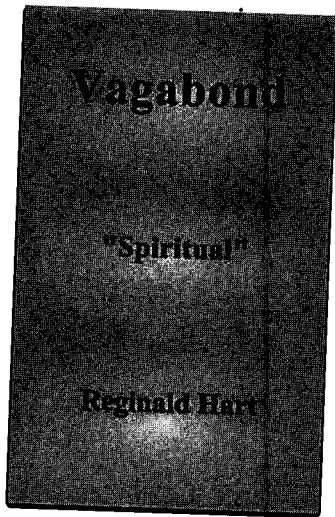
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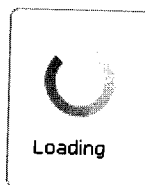
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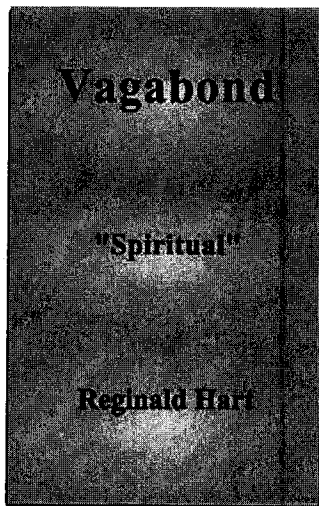
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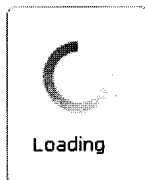
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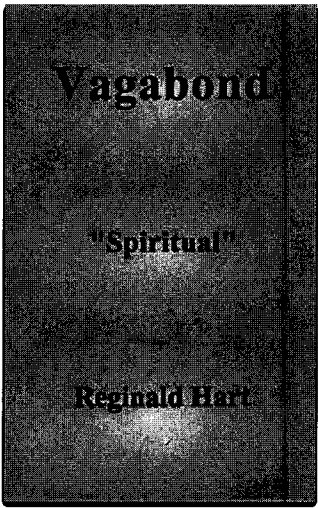
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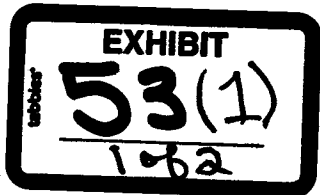
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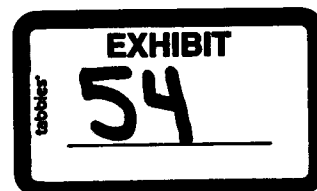
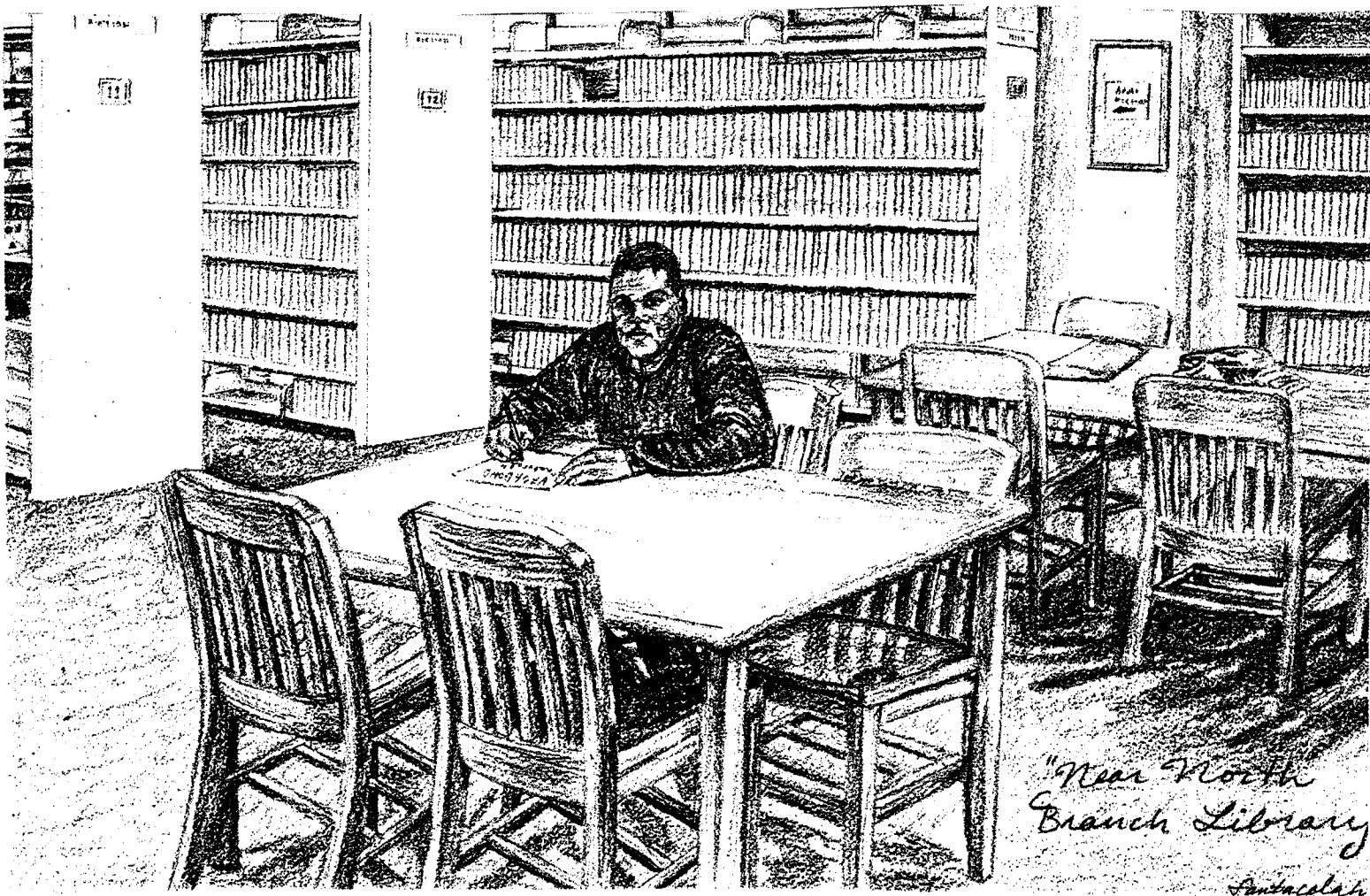
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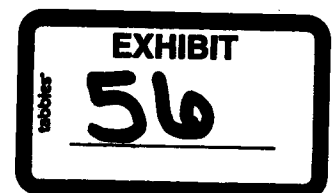
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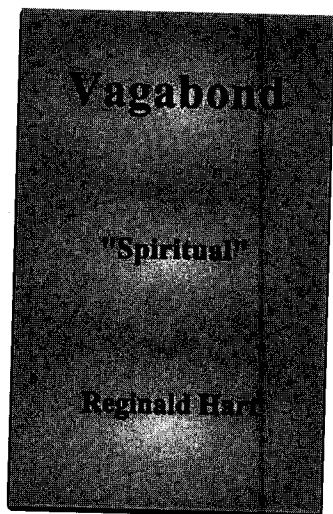
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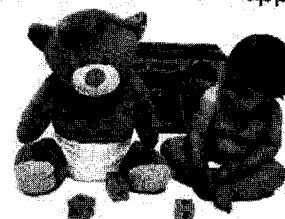
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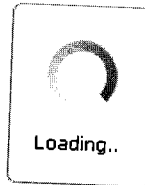
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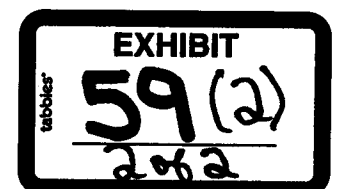
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